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UNITED STATES OF AMERICA.

THE
PEOPLES' MANUAL
AND
HAND-BOOK OF POPULAR GOVERNMENT.

A comprehensive view of the Legislative, Executive, and Judicial
Departments of the Government of the United States
and of the Commonwealth of Pennsylvania;

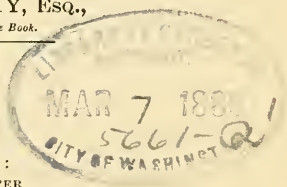
As well as a brief treatise on the qualifications, manner of
election, term of service, duties, powers, and
privileges of county and township offi-
cers in Pennsylvania.

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TO WHICH IS ADDED A COMPLETE SALARY AND FEE
BILL FOR ALL COUNTY, TOWNSHIP, AND BOROUGH
OFFICERS IN THE COMMONWEALTH.

✓
By JOHN McMURRAY, Esq.,
Author of the Pennsylvania State Book.

HARRISBURG:
LANE S. HART, PRINTER.
1885.



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P R E F A C E .

The Government of the United States, being a representative Republic, secures rights to, and imposes duties and responsibilities upon, each citizen, peculiar and important alike to the citizen and the Government.

The principle on which the Government is founded—that the sovereignty is in the people, and the officers of the Government are only their servants, or agents—demands that the people shall sufficiently comprehend who their several agents are, and what duties they have a right to demand from each, to be able to judge intelligently of their official action, and the manner of its performance.

As any citizen may be called upon to hold office under the Government, knowledge of official duty, official rights, and mode of action, is an obligation resting alike on the citizen and official.

These considerations suggest the necessity for the present work, which is intended as an analysis of the Government, in its several branches, departments, and divisions, with a general outline of the duties incumbent on each department and the officers therein.

The limits of the work forbid an exhaustive discussion of the several topics, but within its scope it will be found accurate and reliable. It is intended for popular, rather than for professional, use.

From the dual character of the Government, the subject is necessarily divided into the National and State Governments, and treated in that order.

In each branch of the Government—National and State—there is a law-making, or Legislative power, a law-applying, or judicial power, and a law-executing, or executive power. These furnish necessary divisions of each branch. The duties to be performed in each of these are so numerous and diversified as to necessitate their sub-division into departments, offices, &c., each one charged with specific labors and armed with appropriate powers and rights. These departments and offices, with the general duties belonging to each, the several officers and employés therein, with their duties, powers, mode of appointment, term of service, emoluments, &c., are treated in order.

County and township officers, which belong to the State Government, are treated of separately.

The purpose of this work is to place within the reach of every citizen

a brief treatise which will enable the masses to better qualify themselves, as private citizens and officers, to properly discharge the several duties they owe to the Government committed to their charge.

That the work is entirely sufficient to furnish all the needed information for intelligent civil action is not claimed ; but that it may prove a substantial nucleus for further knowledge, and incite a desire among the masses of the citizens of the Republic to learn more concerning our form of government, and the duties, powers, and responsibilities of those charged with its administration, is the wish of the

AUTHOR.

BROOKVILLE, PA., *February, 1885.*

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PART FIRST.

GOVERNMENT OF THE UNITED STATES.



LEGISLATIVE DEPARTMENT.

CHAPTER I.

THE CONGRESS.

WHERE LEGISLATIVE POWER VESTED—NUMBER OF SENATORS AND REPRESENTATIVES—QUALIFICATIONS AND TERM OF SERVICE—HOW CHOSEN—REPRESENTATIVE APPORTIONMENT

1. The legislative power of the United States Government is vested in a Congress, consisting of a Senate and House of Representatives.

The Senate is composed of two Senators from each State, and the House of Representatives of members, apportioned among the several States according to population. Each State must be divided into as many districts by the Legislature thereof, of contiguous territory, as nearly equal in population as practicable, as there are Representatives apportioned to the State, in each of which one Representative shall be chosen. The number of Representatives can never exceed one for every thirty thousand population, but each State shall have at least one. A new apportionment of Representatives is made after each decennial census.

The present apportionment was made by Congress in 1882, and under it the number of Representatives allowed each State is as follows: Alabama, 8; Arkansas, 5; California, 6; Colorado, 1; Connecticut, 4; Delaware, 1; Florida, 2; Georgia, 10; Illinois, 20; Indiana, 13; Iowa, 11; Kansas, 7; Kentucky, 11; Louisiana, 6; Maine, 4; Maryland, 6; Massachusetts, 12; Michigan, 11; Minnesota, 5; Mississippi, 7; Missouri, 14; Nebraska, 3; Nevada, 1; New Hampshire, 2; New Jersey, 7; New York, 34; North Carolina, 9; Ohio, 21; Oregon, 1; Pennsylvania, 28; Rhode Island, 2; South Carolina, 7; Tennessee, 10; Texas, 11; Vermont, 2; Virginia, 10; West Virginia, 4; Wisconsin, 9. Total, 325. To these is added one delegate from each of the Territories, who has a seat in the House of Representatives, with the right to speak, but cannot vote on any measure.

Senators must be thirty-five years of age, have been nine years citizens of the United States, and at the time of their election inhabitants of the State for which they are chosen. Representatives must be twenty-five years of age, seven years citizens of the United States, and at the time of their election inhabitants of the State and district for which they are chosen. Senators are chosen for six years, and Representatives for two years.

Senators are elected by the Legislatures of the several States chosen next before the commencement of the Senatorial term for which they are elected, by the open *viva voce* vote of the members of both Houses,

each member voting for one person, a majority of all the members of both Houses voting being necessary to an election. The election is held on the second Tuesday after the meeting and organization of the Legislature. When a vacancy occurs in the Senate, from any State, the Governor fills it by appointment until the next meeting of the Legislature, when it is filled for the unexpired term by election by the Legislature, in the same manner as for a full term. Should a vacancy occur while the Legislature is in session, it is filled in the same manner. The Governor of each State must certify the election of Senators to the President of the United States Senate, under the seal of the State, to be attested by the Secretary of State of the State.

Representatives are elected by the qualified voters of the several States, in single districts, at the general election, by written or printed ballots, on the Tuesday next succeeding the first Monday of November of every second year, the elections occurring in the even-numbered years. Every person who can vote for members of the Legislature, in any State, can vote for Representatives. When a vacancy occurs in the House of Representatives, from any State, the Governor orders a special election in the district to fill it.

If any State denies the right of any male citizen thereof, twenty-one years of age, and a citizen of the United States, to vote for Presidential electors, members of Congress, State officers, or members of the Legislature, except for participation in the Rebellion, or other crime, the number of Representatives therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens of the State, twenty-one years of age or over.

Contested elections of Representatives are determined by the House, after investigation and report by the Committee on Elections. The unsuccessful party to the contest is usually voted one year's salary by the House, as compensation for his time, trouble, and expenses.

Organization and Meetings.

2. All Senators and Representatives must be sworn to support the Constitution of the United States. This oath is administered to each Senator by the President of the Senate, and may be administered to him by any Senator. It can be administered to the Speaker of the House by any member, (usually the oldest in continuous service,) and is administered by the Speaker to all the members and delegates.

The Senate is a continuous body. It is divided into three classes, as nearly equal in numbers as possible, the terms of one class expiring every second year, with each Congress. Thus two thirds of its members always hold over, and it is always organized.

The term of service of Senators and Representatives begins on the fourth of March next succeeding the date of the election of Representatives; but Congress does not meet till the first Monday of December following; so that more than a year elapses between the date of the election of Representatives and the meeting of the Congress to which they are elected, unless a special session should be called by the President.

Each Congress has two sessions, called the long session and the short session. The first, or long session, begins on the first Monday of December of every odd-numbered year, and the second, or short one, on the first Monday of December of every even-numbered year. The long session usually continues six or seven months, and sometimes longer; the short one can last but three months, as the Congress expires on the third of March next succeeding the commencement of the session.

On the first Monday of December of every odd-numbered year, Congress is organized at Washington by swearing in the new Senators, and by the election of a Speaker of the House of Representatives, after which the oath of office is administered to each member. Before this

meeting, the clerk of the last preceding House of Representatives makes up a roll of the Representatives-elect, placing thereon only the names of such as appear from their credentials to be regularly elected, according to the laws of the United States and the several States from which they are sent. Only those whose names are on this roll can vote for Speaker. At the time appointed for the meeting, the Clerk of the last House calls the members to order, and presides until a Speaker is elected. After the election of Speaker, the other officers are elected, or appointed, the committees are named, and Congress is ready for work. In the Senate the committees are elected by the Senators. In the House of Representatives they are appointed by the Speaker.

When Congress is about to convene, if the President thinks it would be hazardous to their lives to meet at the seat of Government, from the prevalence of any contagious sickness, or for other reasons, he may, by proclamation, convene them at some other point.

Duties, Powers, and Privileges of Congress and its Members.

3. The Senate elects a President *pro tempore* from its own number in the absence of the Vice President, or when he is called to exercise the office of President of the United States. The House of Representatives elects one of its own members Speaker at the first session of each Congress. Both Houses choose for themselves such other officers, and provide for the appointment of such committees, as are necessary to transact their business, and each House is the judge of the qualification and election of its own members.

Each House determines the rules of its own procedure, punishes its members for contempt or disorderly behavior, and by a two-thirds vote may expel a member.

A majority of each House constitutes a quorum for the transaction of business, but a smaller number may adjourn from day to day, and compel the attendance of absent members, under such rules as they may provide.

Each House keeps and publishes a journal of its proceedings, but the journal of secret sessions is not published. During the sessions, neither House can adjourn for more than three days without the consent of the other, nor to any other place than that provided by law for their meeting.

Senators and Representatives shall be privileged from arrest during their attendance at the sessions of Congress, and in going to and returning therefrom, in all cases except treason, felony, and breach of the peace, and shall never be questioned outside of their respective Houses for any speech or debate therein.

No Senator or Representative can, during the time for which he is elected, be appointed to any civil office under the Federal Government, which shall be created, or the emoluments of which shall be increased, during said time; and no person holding any office under the United States can be a member of either House while continuing therein.

No person can be a Senator or Representative, Presidential elector, or hold any civil or military office under the United States, who has taken an oath as a Federal or State officer to support the Constitution of the United States, and has afterwards engaged in insurrection or rebellion against the same, or given aid and comfort to its enemies; but Congress may remove such disability by a two-thirds vote.

Congress has power to lay and collect taxes, duties, imposts, and excises, which must be uniform throughout the nation; and to pay the debts, and provide for the general welfare of the United States.

To borrow money on the credit of the nation.

To regulate commerce with foreign nations, among the States, and with the Indian tribes.

To establish uniform naturalization and bankrupt laws.

To coin and issue money and fix the standard of weights and measures.

To provide for the punishment of counterfeiting the money and securities of the United States.

To establish post-offices and post-roads.

To control the subject of copyrights and patents to inventors.

To establish courts inferior to the Supreme Court.

To define and punish piracy and felony on the high seas, and offenses against the law of nations.

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and sea.

To raise and support armies, and provide and maintain a navy, and make rules for their government and regulation.

To provide for calling out the militia to execute the laws of the nation, suppress insurrection, or repel invasion.

To provide for organizing, arming, and disciplining the militia, and for governing such as may be in the service of the United States, reserving to the States the appointing of the officers.

To legislate exclusively for the District of Columbia, wherein is located the National Capitol, and have full authority over all places sold to the United States for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings.

To make all laws necessary for carrying into effect the powers vested in the Government of the United States, or any department thereof.

Congress may, by law, vest the appointment of such inferior officers as it thinks proper in the President alone, in the courts of law, or in the heads of departments.

New States may be admitted into the Union by Congress, but no new State shall be formed within the jurisdiction of any other State, nor any State be formed by uniting two or more States or parts of States, without the consent of the Legislatures of the States concerned, as well as Congress.

Congress has power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

Whenever two thirds of both Houses shall deem it necessary, Congress may propose amendments to the Constitution; and on application of the Legislatures of two thirds of all the States, shall call a convention for the purpose of proposing amendments to the Constitution, which shall become part thereof on being ratified by the Legislatures of three fourths of the States, or by conventions in three fourths thereof, as one or the other mode of ratification may be proposed by Congress; but no State can be deprived of its equal representation in the Senate without its consent.

Slavery is abolished in the United States, and Congress is charged, by the thirteenth amendment to the Constitution, with the duty of enforcing its abolition by appropriate legislation.

Congress has power to declare the punishment for treason, but no attainder of treason shall work corruption of blood or forfeiture, except during the life of the person attainted.

Limitations on the Powers of Congress.

4. Congress cannot suspend the writ of *habeas corpus*, except when in case of rebellion or invasion the public safety may require it; nor can it pass any bill of attainder or *ex post facto* law.

No capitation or other direct tax shall be laid, except in proportion to population, as ascertained by the last decennial census.

No tax or duty shall be laid on articles exported from any State, nor shall any preference be given, by any regulation of commerce or revenue, to the ports of one State over those of another, nor shall vessels to or from one State be obliged to enter, clear, or pay duty in another.

No money shall be drawn from the treasury but in consequence of appropriations made by law; and a regular statement and account of

the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States, nor shall any person holding any office of trust or profit under it accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign State, without the consent of Congress.

No religious test shall ever be required as a qualification to any office of public trust under the United States. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances. And the right of the people to keep and bear arms as militiamen shall not be infringed.

Congress must see that the validity of the public debt of the United States, authorized by law, including debts incurred for the payment of pensions and bounties for service in suppressing insurrection or rebellion, shall not be questioned; and neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or claim for the loss or emancipation of any slave, but all such debts, obligations, and claims shall be held illegal and void.

Manner of Passing Laws.

5. All laws must be passed by bill, which term includes joint resolutions. Every bill must be introduced on the report of a committee, on leave given by the proper House, or on the report of the court of claims.

All bills for raising revenue must originate in the House of Representatives, but may be amended in the Senate.

Every bill must receive three separate readings in each House previous to its passage, but these readings need not be on different days. The reading of a bill is usually by its title merely, but any member may require it to be read at length. A bill need not necessarily be referred to a committee, but, if such reference is desired, it is usually made when the bill is introduced, or on second reading.

After a bill has been read three times, and passed by a majority vote, it is certified by the clerk to the other House, where it must be passed in like manner.

All amendments made to a bill in one House must be concurred in by the other, or, if rejected, must be adjusted by a committee of conference appointed by the two Houses, whose report must be adopted by both.

After a bill has passed finally, it is copied at length on parchment by the Clerk of the House in which it originated, when it goes to the Committee on Enrolled Bills, consisting of seven Representatives and three Senators, who carefully compare it with the engrossed copy of the bill as it passed each House, correcting any errors that may be discovered. It is then signed, first by the Speaker of the House of Representatives, and then by the President of the Senate, when it is sent to the President of the United States for his approval. If approved by him it becomes a law.

If the President disapproves of a bill, he must return it, with his objections, to the House in which it originated, who shall enter the objections at large on their Journal, and proceed at once to reconsider it. If, after such reconsideration, two thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of those voting for and against the bill shall be entered on the Journal of each House respectively.

If any bill shall not be returned by the President within ten days

(Sundays excepted) after it shall have been presented to him, it shall be a law in like manner as if signed by him, unless Congress, by their adjournment, prevent its return.

Every order, resolution, or vote, to which the concurrence of both Houses is necessary, (except on the question of adjournment,) must be presented to the President, and be approved by him, or, being disapproved by him, be repassed by a two-thirds vote of both Houses, according to the rules laid down for passing a bill over the President's veto.

Compensation of Members.

6. The salary of the Vice President, who is President of the Senate, is \$8,000 a year. When there is no Vice President, the President *pro tempore* of the Senate receives this salary. The salary of Senators and Representatives is \$5,000 a year, payable monthly, and actual traveling expenses from their homes to the seat of government and return, once for each session. The Speaker of the House of Representatives receives \$3,000 a year in addition to his salary as Representative.

In case of contested elections, those whose seats are contested receive no pay until they are sworn in. Members receive no allowance for postage, and are allowed no pay for time during which they are absent from the regular sessions of Congress, except in case of sickness of themselves or their families.

The moneys appropriated for the compensation of the members and officers, and contingent expenses of Congress, are drawn from the treasury by the Secretary of the Senate and the Clerk of the House, on requisitions made by them, and disbursed by them, or under their direction. Senators and Representatives receive their salaries monthly.

Impeachment.

7. The President, Vice President, and all civil officers of the United States, may be removed from office by impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors. The House of Representatives has the right to prefer all articles of impeachment against all officers, but the Senate has the sole power to try impeachments. When the President of the United States is tried, the Chief Justice of the Supreme Court shall preside. No person can be convicted without the concurrence of two thirds of the members of the Senate present. Judgment, in case of impeachment, shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment, according to law.

Duties, Powers, Privileges, and Rights of the States and the Citizens thereof, and Limitations on the Powers of the States.

8. The enumeration of certain rights in the Constitution shall not be construed to deny or disparage others retained by the people.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State; and Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

All persons born or naturalized in the United States, or subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside. No State shall make or enforce any law which

shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

A person charged in any State with treason, felony, or other crime, who shall flee from justice and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

The United States shall guarantee to every State in the Union a republican form of government, and shall protect them against invasion; and, on application of the Legislature, or of the Executive, (when the Legislature cannot be convened,) against domestic violence.

The rights of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

No State shall enter into any treaty, alliance, or confederation; grant any letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a legal tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts; or grant any title of nobility.

No State shall, without the consent of Congress, lay any imposts or duties on exports, except what may be necessary for executing its inspection laws; and the net produce of all duties and imposts laid by any State on imports or exports shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of Congress. No State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will admit of no delay.

No soldier shall be quartered in any house in time of peace without the consent of the owner, nor in time of war except as prescribed by law.

The right of citizens of the United States to vote shall not be denied or abridged by the United States, or any State, on account of race, color, or previous condition of servitude.

Officers of the Senate and House, with their Annual Salaries.

9. SENATE.—The officers and employés of the Senate, besides the Vice President or the President *pro tempore*, with their annual salaries, are as follows:

Clerk to Vice President, \$2,102 40; messenger, \$1,440; chaplain, \$900. Secretary of Senate, \$6,096; principal clerk, minute and journal clerk, principal executive clerk, enrolling clerk, \$2,592 each; financial clerk, \$3,000; librarian, \$2,220; assistant librarian, \$1,440; six clerks, \$2,220 each, and five, \$2,100 each; keeper of stationery, \$2,102 40; one assistant, \$1,800, and one \$1,400; two messengers, \$1,440 each; three laborers, \$720 each; page, \$912 50; telephone operator, \$720; sergeant-at-arms, \$1,320; clerk to sergeant-at-arms, \$2,000; two assistant doorkeepers, \$2,592; postmaster, \$2,250; assistant postmaster, \$2,088; five mail carriers, \$1,200; superintendent of document-room, \$2,100; two assistants, \$1,440; clerk in document-room, \$1,440; page, \$720; superintendent folding-room, \$2,160; assistant, \$1,200; foreman, \$1,200; six folders, \$1,095; three messengers to acting assistant doorkeeper, \$1,800; twenty-four messengers, \$1,440; messenger in charge of store-room, \$1,200; one laborer, \$840; one laborer, \$720; chief engineer, \$2,160; three assistant engineers, \$1,440; two firemen, \$1,095; three laborers, \$720; eight skilled laborers, \$1,000; twelve laborers, \$720; four pages, \$912 50; two cabinet-makers, \$3 50 per day; one stable boss, \$75 per

month; two laborers at stables, \$1 per day; clerk of printing records, \$2,230; messenger to official reporters, \$1,440; telegraph operator, \$1,200.

10. HOUSE OF REPRESENTATIVES.—The officers and employés of the House of Representatives, besides the Speaker, with their annual salaries, are as follows:

Speaker's private secretary, \$1,800; Speaker's clerk, \$1,600; clerk of Speaker's table, \$1,400; chaplain, \$900; five official reporters, \$5,000 each; general indexer of Journal, \$2,500; assistant indexer, \$2,000; clerk of the House, \$4,500; chief clerk, \$3,000; journal clerk, \$3,000; two reading clerks, \$3,000; tally clerk, \$3,000; printing and bill clerk, \$2,500; disbursing clerk, \$2,250; assistant disbursing clerk, \$2,000; file clerk, \$2,250; enrolling clerk, \$2,250; assistant enrolling clerk, \$2,000; resolution and petition clerk, \$2,000; newspaper clerk, \$2,000; index clerk, \$2,000; superintendent of document-room, \$2,000; librarian, \$2,000, and two assistants, \$1,440; two messengers in library, \$3 60 per day; stationery clerk, \$1,800; distributing clerk, \$1,800; book-keeper, \$1,600; three clerks, \$1,600; document clerk, \$1,440; upholsterer and locksmith, \$1,440; five laborers, \$720; telegraph operator, \$720; page, \$60; sergeant-at-arms, \$4,500; deputy sergeant-at-arms, \$2,000; cashier, \$3,000; paying teller, \$2,000; book-keeper, \$1,800; messenger, \$1,200; page, \$60 per month; laborer, \$660; door keeper, \$2,500; two assistant doorkeepers, \$2,000; clerk to doorkeeper, \$1,200; janitor, \$1,200; superintendent folding-rooms, \$2,000; three clerks, \$1,200; foreman in folding-room, \$1,500; department messenger, \$1,200; messenger, \$1,200; folder in seal-room, \$1,200; ten folders, \$900; five folders, \$840; fifteen folders, \$720; page, \$500; laborer, \$400; watchman, \$900; driver, \$600; superintendent document-rooms, \$2,000; assistant superintendent document-rooms, \$2,000; file clerk, \$1,400; assistant file clerk, \$1,314; eight messengers, \$1,200; ten messengers, \$1,000; one employé, \$1,314; nine laborers, \$720; one laborer, \$600; attendant in ladies' waiting-room, \$600; fourteen maimed soldier employés, \$1,200; postmaster, \$2,500; assistant postmaster, \$2,000; nine messengers, \$1,200; laborer, \$720; chief engineer, \$1,700; assistant engineer, \$1,200; conductor of elevator, \$1,200; six firemen, \$900; electrician, \$1,150; assistant electrician, \$800; two laborers, \$820 and \$720; two stenographers, \$5,000 each.

Clerks to Committees.

11. SENATE.—Appropriations, clerk, \$2,500; assistant, \$1,600; messenger, \$1,440; finance clerk, \$2,500; messenger, \$1,440; claims, clerk, \$2,220; messenger, \$1,440; commerce, clerk, \$2,220; judiciary, clerk, \$2,220; messenger, \$1,440; private land claims, clerk, \$2,220; pensions, clerk, \$2,220; assistant, \$1,440; messenger, \$1,440; military affairs, clerk, \$2,220; post-offices and post-roads, clerk, \$2,220; messenger, \$1,440; District of Columbia, clerk, \$2,220; messenger, \$1,440; library, clerk, \$2,220; census, clerk, \$2,220; naval affairs, clerk, \$2,220; foreign relations, clerk, \$2,220; public lands, clerk, \$2,220; engrossed bills, clerk, \$2,220; messenger, \$1,440; contingent expenses, clerk, \$2,220.

12. HOUSE OF REPRESENTATIVES.—Ways and means, clerk, \$2,500; assistant, \$1,200; messenger, \$1,000; appropriations, clerk, \$2,500; first assistant, \$1,600; second assistant, \$1,200; messenger, \$1,000; judiciary, clerk, \$2,000; claims, clerk, \$2,000; war claims, clerk, \$2,000; assistant, \$1,600; public lands, clerk, \$2,000; pensions, clerk, \$2,000; commerce, clerk, \$2,000; assistant, \$1,500; District of Columbia, clerk, \$2,000; agriculture, \$2,000; Indian affairs, \$2,000; military affairs, \$2,000.

Standing Committees of the Senate.

13. On privileges and elections; appropriations; foreign relations; finance; commerce; manufactures; agriculture; military affairs; naval affairs; judiciary; post-offices and post-roads; public lands; private land

claims; Indian affairs; pensions; revolutionary claims; claims; District of Columbia; patents; territories; railroads; mines and mining; revision of the laws; education and labor; civil service and retrenchment; contingent expenses of the Senate; engrossed bills; rules; improvement of the Mississippi and its tributaries; transportation routes to the seaboard.

Standing Committees of the House.

14. Elections; ways and means; appropriations; judiciary; banking and currency; weights and measures; commerce; rivers and harbors; agriculture; foreign affairs; military affairs; post-offices and post-roads; public lands; Indian affairs; territories; railroads and canals; manufactures; mines and mining; public buildings and grounds; Pacific railroads; levees and improvements of the Mississippi river; education; labor; militia; patents; invalid pensions; pensions; claims; war claims; private law claims; District of Columbia; revision of the laws; expenditures in the State department; expenditures in the treasury department; expenditures in the war department; expenditures in the navy department; expenditures in the post-office department; expenditures in the interior department; expenditures in the department of justice; expenditures on public buildings; on the rules; on accounts; on mileage; joint committee on the library; joint committee on printing; joint committee on enrolled bills.

Congressional Library.

15. The library of Congress is composed of the books, maps, charts, and other publications remaining from the collections heretofore united by the several acts of Congress, passed from time to time; those since added by purchase, exchange, donation, reservation from publications ordered by Congress; and such as are deposited to secure copyright. This last is a fruitful source of increase to the library, as a copy of every work, which is copyrighted under the laws of the United States, must be deposited in the library of Congress. The filing of the title page of any book, pamphlet, or article, or a description of any painting, drawing, chromo, statue, statuary, or a design for a work of the fine arts, and the delivery to the Librarian of Congress of two copies of such copyright book or other article, or, in case of a painting, drawing, statue, statuary, model or design for a work of the fine arts, a photograph of the same, within ten days after the publication or completion thereof, shall secure to the author, inventor, designer, or proprietor thereof, the exclusive right to print, publish, and sell the same within the United States, for a period of twenty-eight years. The Librarian of Congress keeps a complete record of all books, &c., copyrighted, setting forth names, titles, dates, &c.

The library is arranged in two departments—a law library and a general library. All books for the law library are purchased by the Librarian, from catalogues furnished him by the Chief Justice of the Supreme Court.

The library is maintained from year to year by appropriations made by Congress, and all expenditures are made under the direction of a joint committee of Congress upon the library, consisting of three Senators and three Representatives. This committee makes regulations for the library, from time to time, modified by such as the Supreme Court may make for the law department.

The library of the Smithsonian Institute is now kept in the same apartments with the library of Congress, and forms part thereof, under the conditions of the act of Congress passed in 1866.

This library is under the care and direction of a Librarian appointed by the President of the United States. He gives bond to the United States in such sum as the joint committee upon the library deems suffi-

cient, for the safe-keeping of the books, maps, furniture, &c., confided to his care, and for the faithful discharge of his trust according to the regulations established for its government. His salary is \$4,000 a year. He is authorized to appoint the following assistants in the business of the library:

Two assistant librarians,	\$2,500 each.
Two assistants,	1,800 "
Two "	1,600 "
Two "	1,440 "
Six "	1,400 "
Two "	1,300 "
Four "	1,200 "
One "	960
One "	720
One "	480

The joint committee upon the library is authorized to grant the privilege of using and drawing books from the library, in the same manner and subject to the same regulations as members of Congress, to the following persons: Heads of departments; judges and reporters of the Supreme Court; members of the diplomatic corps; judges and clerk of the Court of Claims; Solicitor General and Assistant Attorneys General; secretary of the Senate and clerk of the House; chaplains of the two Houses of Congress; Solicitor of the Treasury; financial agent of the joint committee upon the library; Smithsonian Institute, through its secretary; ex-Presidents of the United States, when in the District of Columbia.

Capitol Building.

16. As a fitting close to this chapter, we append the following description of the capitol building at Washington, in which Congress and the Supreme Court hold their sessions, and the Congressional Library is located:

The building is located at the east end of Pennsylvania Avenue, fronts the east, and stands on a plateau ninety feet above the level of the Potomac river, in latitude $38^{\circ} 53' 20''.4$ north and longitude $77^{\circ} 00' 35''.7$ west from Greenwich.

The south-east corner-stone of the original building was laid on the 18th of September, 1793, by President Washington, aided by the Freemasons of Maryland. It was built of sandstone, painted white, taken from an island in Aquia creek, Virginia, under the direction of Stephen H. Hallet, James Hoban, George Hadfield, and, afterwards, B. H. Latrobe, architects. The north wing was finished in 1800, and the south wing in 1811, and were connected by a wooden passage-way. On the 24th of August, 1814, the interior of both wings was destroyed by the British, during the war of 1812, but were immediately rebuilt. In 1818, the central portion of the building was commenced, under the superintendence of Charles Bulfinch, architect, and the original building was finally completed in 1827. Its cost, including the grading of the grounds, alterations, and repairs, up to that time, was \$2,433,844 13.

The corner-stone to the extension of the capitol was laid on the 4th of July, 1851, by President Fillmore, Daniel Webster being the orator of the day. Thomas U. Walter was architect, succeeded by Edward Clark, under whose direction the work was completed in November, 1867. The extensions are built of white marble from the quarries at Lee, Massachusetts, with white marble columns from the quarries at Cockeysville, Maryland.

The dome of the central building was constructed of wood at first, but was removed in 1856 and replaced by the present structure of cast-iron, completed in 1865. Some idea of its stupendous character may be formed when it is stated that 8,909,200 pounds of iron are used in its construction.

The main building is three hundred and fifty-two feet four inches long in front, and one hundred and twenty-one feet six inches deep, with a portico one hundred and sixty feet wide, of twenty-four columns on the east and a projection of eighty-three feet on the west, embracing a recessed portico of ten coupled columns. The extensions are placed at the north and south ends of the main building, with connecting corridors forty-four feet long by fifty-six feet wide, flanked by columns. Each extension is one hundred and forty-two feet eight inches in front, by two hundred and thirty-eight feet ten inches deep, with porticos of twenty-two columns each on their eastern fronts, and with porticos of ten columns on their ends and western fronts. The entire length of the building is seven hundred and fifty-one feet four inches, and its greatest depth, including porticos and steps, three hundred and twenty-four feet. The area covered by the entire buildings is one hundred and fifty-three thousand one hundred and twelve square feet, or a few feet over three acres and a half.

The dome is surmounted by a bronze statue of Freedom, modeled by Crawford, which is nineteen feet six inches high, and weighs 14,985 pounds. The height of the dome above the base line of the east front is two hundred and eighty-seven feet eleven inches; the height from the balustrade of the building is two hundred and seventeen feet eleven inches; and the greatest diameter at the base is one hundred and thirty-five feet five inches.

The rotunda is ninety-five feet six inches in diameter, and its height from the floor to the top of the canopy is one hundred and eighty feet three inches.

The Senate chamber is one hundred and twelve feet in length, by eighty-two feet in width, and thirty feet in height. Its galleries will accommodate one thousand persons.

The hall of the House of Representatives is one hundred and thirty feet in length, by ninety-three feet in width, and thirty feet in height.

The Supreme Court room was occupied by the Senate until 1859, the court occupying the room beneath, now used as a law library.

The Library of Congress was burned by the British in 1814, and was partially destroyed by an accident in 1851. The present center hall was finished in 1853, and the wing halls in 1867.

EXECUTIVE DEPARTMENT.

CHAPTER II.

PRESIDENT AND VICE PRESIDENT.

The President—His Term and Qualifications.

1. The executive power of the Government is vested in a President of the United States of America, who holds his office during the term of four years. No person is eligible to the office of President except a native-born citizen of the United States, thirty-five years of age, and who has been thirteen years a resident in the United States immediately preceding his election. Absence on account of the public service is considered the same as actual residence within the United States.

MANNER OF ELECTION.

2. The President is elected by Presidential electors, chosen by the several States as the Legislatures thereof may direct. Each State is entitled to as many electors as it has Senators and Representatives in Congress, and they are uniformly chosen by the voters of the States at large, each voter voting for as many candidates as there are electors to be chosen by the State, those receiving the highest number of votes being elected. Electors are nominated and voted for in the same manner as State executive officers. Any citizen of a State who can vote for members of the Legislature can vote for Presidential electors. No Senator or Representative in Congress, or person holding an office of trust or profit under the United States, can be an elector. They are chosen on the Tuesday after the first Monday of November of every fourth year.

Each State may provide by law for the filling of any vacancy in its college of electors when they meet to cast the electoral vote of the State.

When any State has held an election to choose Presidential electors on the day appointed by law, and has failed to make a choice, they may be appointed on a subsequent day, in such manner as the Legislature thereof may direct.

The Governor of each State must cause three lists of the electors of the State to be made and certified, and delivered to them on or before the day on which they are to meet.

The electors shall meet at the capitols of their respective States on the first Wednesday of December next succeeding their election, and vote by ballot for President and Vice President. Each elector shall vote for one person as President and one person as Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves. They shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President; and they shall make three separate lists of all persons voted for as President, and all

persons voted for as Vice President, and of the number of votes for each ; which lists they shall sign and certify, and dispose of as follows : The first they shall place in the hands of a person to be appointed in writing by them, to be delivered by him to the President of the Senate of the United States, at the seat of government, on or before the first Wednesday of January then next ensuing. The second they shall forward, by mail, at once to the President of the Senate, at the seat of government. The third they shall cause forthwith to be delivered to the judge of the District Court of the United States for the district in which the electors are assembled.

In case there is any State from which a certificate of electoral votes has not been received at the seat of government on the first Wednesday of January, the Secretary of State shall notify the proper district judge, who shall forthwith transmit the list which had been delivered to him.

Congress must be in session on the second Wednesday of February succeeding every meeting of the electors, and on that day the two Houses meet in the hall of the House of Representatives, and are presided over by their respective presiding officers. All the certificates received from the electors of the several States are then opened by the President of the Senate, and the electoral votes are counted in the presence and under the direction of both Houses in accordance with the joint rules adopted by them. The person receiving a majority of all the electoral votes cast shall be declared President, to serve for four years from the 4th of March then next ensuing.

If no person have a majority of all the electoral votes cast as thus declared, then from the three having the highest number of such votes for President, the House of Representatives shall choose a President by ballot immediately. In thus choosing a President, the votes shall be taken by States. A quorum for this purpose consists of a member or members from two thirds of the States. The vote of each State is determined by a majority of its representatives present. A majority only of the States voting is necessary to a choice. If the House of Representatives fail to elect a President before the 4th day of March next ensuing, when the right of choice devolves on them, then the Vice President becomes President, as in the case of death or other constitutional disability. The Territories and the District of Columbia elect no Presidential electors.

OATH, POWER, DUTIES, AND COMPENSATION OF THE PRESIDENT.

3. It is his first and highest duty to see that the Constitution and the laws enacted by Congress, in pursuance thereof, are obeyed and faithfully carried out. To this end he has many and large powers, and has the appointment of many officers to assist him. Before entering on the execution of his high and responsible office, he takes the following oath or affirmation, usually administered by the chief justice or one of the judges of the Supreme Court :

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States."

He is commander-in-chief of the army and navy of the United States, and of the militia of the several States when called into the actual service of the United States.

He has power, by and with the advice and consent of the Senate, to make treaties, two thirds of the Senators present concurring ; he nominates, and, with the advice and consent of the Senate, appoints all ambassadors, and other public ministers and consuls, judges of the Supreme Court, and all other federal judges, and all other officers of the United States, whether civil, military, or otherwise, whose appointments are not otherwise provided for by the Constitution. He fills all vacancies that may happen in offices to which he may appoint, during the recess of the Senate, by granting commissions to expire at the end of their next session. He commissions all officers of the United States.

He must, from time to time, give to Congress information of the state of the Union, and recommend to their consideration such measures as he deems necessary and expedient. These communications are called the President's messages. He sends one such message to Congress at the opening of each session, and sometimes on special occasions of great importance. He may, on extraordinary occasions, convene both Houses of Congress, or either of them; and in case of disagreement between them as to the time of adjournment, he may adjourn them to such time as he thinks proper, not later than the date fixed by law for their next meeting. He receives all ambassadors and other public ministers.

He appoints in his official household the following officers: One private secretary, at a salary of \$3,500 a year; one assistant secretary, who must be a short-hand writer, at \$2,500; two executive clerks, at \$2,300; one steward of the President's household, at \$2,000; one messenger, at \$1,200. The steward has custody of, and is responsible for, the plate, furniture, and other property in the President's mansion, and must give a bond to the United States for the faithful discharge of his trust, in such sum as the Secretary of the Interior may deem sufficient, to be approved by that officer.

The Vice President.

4. There is elected at the same time, and in the same manner as the President, one person to serve as Vice President, who must have the same qualifications as the President. If no person receives a majority of the electoral votes cast for Vice President, as declared by the joint meeting of the two Houses of Congress for counting the same, then from the two persons receiving the highest number of votes for that office, the Senate shall choose the Vice President. A quorum for that purpose is two thirds of all the Senators, and a majority of the whole number is necessary to elect.

The Vice President is President of the Senate, but shall have no vote unless the Senators be equally divided, when he shall have the deciding vote.

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the office, it shall devolve upon the Vice President. •

In Case of the Death, &c., of the President and Vice President, who to act as President.

5. In case of the removal, death, resignation, or inability of both the President and Vice President, the President of the Senate, or, if there is none, then the Speaker of the House of Representatives, for the time being, shall act as President until the disability is removed, or a President is elected.

Whenever the offices of President and Vice President both become vacant, the Secretary of State at once causes notice thereof to be given to the Governor of every State, and to be published in one or more newspapers in each State. This notice shall specify that electors of a President and Vice President shall be chosen in the several States as follows:

First. If there be two months yet to intervene between the date of the notice and the first Wednesday of December next ensuing, then the notice will specify that the electors shall be chosen within thirty-four days preceding such first Wednesday of December.

Second. If there be not two months yet to intervene between the date of the notice and such first Wednesday in December, and if the term to be filled will not expire on the third day of March next ensuing, the notice shall specify that the electors shall be chosen within thirty-four days preceding the first Wednesday of December in the next year.

If there be not two months between the date of the notice and such first Wednesday of December, and if the term to be filled will expire

on the third day of March next ensuing, then the notice will state that no electors are to be chosen.

The electors chosen in pursuance of such notice given, must meet and cast their votes on the first Wednesday of December succeeding their election; and all regulations and provisions of the Constitution and laws, relating to the election of President and Vice President for a full term, shall apply to an election to fill vacancies, on notice given by the Secretary of State.

Salary of President and Vice President.

6. The salary of the President is fifty thousand dollars a year, and that of the Vice President eight thousand dollars a year, payable monthly; and they shall not receive, during that time, any other emolument or compensation from the United States or any State.

Officers and Employees in Executive Office.

7. Private secretary, \$3,250; assistant secretary, \$2,250; two executive clerks, \$2,000 each; two clerks, \$1,800 each; one \$1,600; one \$1,400; one \$1,200; telegraph operator, \$1,400; steward, \$1,800; clerk, \$1,600; usher, \$1,400; five messengers, \$1,200; three doorkeepers, \$1,200; watchman, \$900; furnace keeper, \$864.

CHAPTER III.

PROVISIONS APPLICABLE TO ALL THE EXECUTIVE DEPARTMENTS.

1. There are seven separate and distinct executive offices in the "Executive Department" of the Government, each one presided over and directed by an officer appointed by the President of the United States, and confirmed by the Senate. These officers constitute the President's cabinet, and are his immediate constitutional advisers in all governmental affairs. They are a Secretary of State, Secretary of War, Secretary of the Treasury, Attorney General, Postmaster General, Secretary of the Navy, and Secretary of the Interior. Their several offices are designated "Executive Departments," and are known as the Department of State, Department of War, Department of the Treasury, Department of Justice, Post-office Department, Department of the Navy, and Department of the Interior.

The head of each department may make regulations for its government, not inconsistent with law, controlling the conduct of its officers, clerks, and employes, the distribution and performance of its business, and the custody, use, and preservation of its records, papers, and property.

The clerks in the departments are divided into four classes, distinguished as the first, second, third, and fourth classes. No person is permitted to be appointed in any of these classes until he has passed a satisfactory examination in the manner prescribed by law. Women may be appointed to any class of clerkships, on the same conditions as men, and with the same compensation.

Each head of a department may alter the distribution of clerks among the bureaus and offices of his department, as he deems proper from time to time; and he has authority to employ such number of clerks of the several classes recognized by law, and such other employes, at such rates of compensation, respectively, as may be appropriated for by Congress from year to year. The regulations are very strict with reference to employing extra clerks and paying extra compensation, as well as employing extra laborers.

The chief clerk in each department must see that the duties of the other clerks are equally distributed, revising the same from time to time and he must report monthly to his chief any defect he may observe in the arrangement or dispatch of work, so that any defect or want of system may be remedied. Each chief of a bureau, or subdivision, shall supervise, under his immediate superior, the labors of the other clerks therein, and see that they are faithfully performed.

There is in each department a "disbursing clerk," selected from those of the fourth class, whose duty it is to receive and disburse all the money appropriated by Congress for the payment of the salaries of the officers, clerks, and employes, and the incidental expenses thereof. He must give bond to the United States in such sum as the Secretary of the Treasury shall direct, with sureties to be approved by the solicitor of the Treasury. Each disbursing clerk receives an annual salary of two thousand dollars.

2. The annual salaries of clerks and other employes in the several departments are as follows: Clerks of the fourth class, \$1,800; clerks of the third class, \$1,600; clerks of the second class, \$1,400; clerks of the first class, \$1,200; women employed in clerical duties subordinate to those assigned to clerks of the first class, such as copyists, counters,

&c., or when temporarily employed as clerks, \$900; messengers, \$840; assistant messengers, laborers, and watchmen, \$720.

3. The head of each department must make an annual report to Congress, giving a detailed statement of all receipts and expenditures on account of the contingent fund of his department and its various bureaus and offices; and for this purpose must require from the disbursing officer thereof a full and detailed statement of all moneys paid by them during the preceding year. They must also report annually the names of all employés in their department, the time employed, amount paid each, and whether the force can be reduced.

The head of each department must cause to be filed in the Department of the Interior, as soon as practicable after the last day of September in each year in which a new Congress is to assemble, a complete list of all officers, agents, clerks, and employés therein, and the statistics peculiar to his department, to enable the Secretary of the Interior to prepare the Biennial Register.

4. The salary of each head of an executive department, who is a Cabinet officer, is \$8,000 a year.

The Civil Service Commission.

5. In January, 1883, an act of Congress was passed, entitled "An act to regulate and improve the civil service of the United States." It provides for the appointment of three commissioners by the President, to be confirmed by the Senate, not more than two of them to be selected from the same political party. They constitute the United States Civil Service Commission, and can hold no other office or appointment under the Government. They are liable to removal at any time by the President. They receive an annual salary of \$3,500.

6. The commission has a chief examiner, a stenographer, and a messenger appointed by themselves, and a secretary appointed by the President. The chief examiner receives an annual salary of \$3,000, the secretary and stenographer \$1,600 each, and the messenger \$600.

7. It is the duty of the commission to aid the President, as he may direct, in preparing suitable rules for carrying the civil service law into effect; to see that such rules are obeyed and enforced, and to direct, superintend, and control all examinations held under the law and the rules made in pursuance of it. To this end they have authority to make such regulations as they may deem necessary for carrying into effect the act and the rules made by the President. They must see that their secretary keeps a correct and full account of all their official proceedings. They are required to make an annual report to the President, to be transmitted by him to Congress.

The commissioners appoint boards of examiners to examine all applicants for appointment under the civil service law. These boards are selected from the most competent and experienced clerks and employés in the several executive departments at Washington, and the several customs districts and post-offices throughout the country, where examinations are held. The board of examiners for the several departments at Washington consists of ten persons—two from the Treasury Department, two from the Post-office Department, two from the Interior Department, and one from each of the other departments. Besides this board for all the departments, there is one of five special examiners for the patent office, one of three special examiners for the State Department, and one of three special examiners for the pension office. In some of the custom districts, the boards consist of five members, and in others of three, according to the number of clerks and employés therein. The boards at the several post-offices consist of three members each.

8. There are three branches of the public service to which the civil service law applies: The departmental service at Washington; the customs service throughout the country; and the postal service throughout the country. The clerks and employés in each of the departments at

Washington are divided into several grades, as are also those in the several customs districts and post-offices. All examinations and recommendations for appointments and promotions are made with reference to these grades.

The law only applies to customs districts and post-offices where the number of clerks and employes therein, liable to examination, amounts to fifty or more. When the number employed is less than fifty, appointments are made without any examination.

9. The following classes of appointees are not liable to examination: 1. The confidential clerk or secretary of the head of any department or office. 2. Cashiers of collectors of customs duties. 3. Cashiers of postmasters. 4. Superintendents of money-order divisions in post-offices. 5. The direct custodians of money for whose fidelity another officer is under official bond; but this exception shall not extend to any official below the grade of assistant cashier or teller. 6. Persons employed exclusively in the secret service of the Government, or as translator or stenographer. 7. Persons whose employment is exclusively professional. 8. Chief clerks, deputy collectors, and superintendents, or chiefs of divisions or bureaus. 9. Workmen and laborers. 10. Officers appointed by the President and confirmed by the Senate.

10. Persons desiring to be examined for appointment must make application in regular form, on blanks furnished by the commission, and must furnish satisfactory evidence as to good character, etc. Those desiring appointments in any of the Executive departments must direct their applications to the "U. S. Civil Service Commission, Washington, D. C." Those desiring to enter the postal service must direct their applications to the postmaster under whom the appointment is desired; and those wishing to enter the customs service, to the customs officer under whom the appointment is sought.

11. The examinations are very practical, have special reference to the character of the employment sought, and are limited to the following subjects: 1. Orthography, penmanship, and copying. 2. Arithmetic, including the fundamental rules, fractions, and percentage. 3. Interest, discount, and elements of book-keeping and accounts. 4. Elements of the English language, letter writing, and the proper construction of sentences. 5. Elements of the geography, history, and government of the United States. Examiners may use their discretion in omitting a part of the subjects, according to the branch of service the applicant desires to enter, or the grade of classification to which he seeks appointment or promotion.

12. Females are eligible equally with males. No one can be examined for appointment who is under fourteen or over forty-five years of age, except persons honorably discharged from the military or naval service, to whom the limitation as to age does not apply.

13. All persons who pass the examinations and come up to the required standard of qualifications are not necessarily appointed, but the appointments are made from those who are certified by the examiners as competent. Physical qualifications are regarded as well as educational fitness.

No one can be certified for appointment "whose standing, upon a just grading in the general examination, shall be less than sixty-five per cent. of complete proficiency in the first three subjects."

In case of a vacancy occurring at any time to which persons thus examined are to be appointed, on application of the appointing officer, the commission certifies to him four names, taken from those standing highest on the register of those examined for that branch of the service, and from these he makes the appointment. All appointments are made for a probationary period of six months, at the end of which time, if the appointee's fitness and conduct are satisfactory, he is appointed absolutely; otherwise he is dismissed. The law requires that the appointments shall be apportioned among the States and Territories according to their population.

14. The examinations are held in different localities, as New York, Boston, Philadelphia, Pittsburgh, Baltimore, Chicago, etc., so as to accommodate those to be examined. These examinations are not conducted by the commissioners, but one of them, or the chief examiner, is usually present. The actual work is done by the local boards.

We might present many more details of the subject, and they would, doubtless, be interesting; but what we have given presents a correct view of the practical working of the commission, and is all we have room for. According to the report of the commission made in February, 1884, about fourteen thousand appointments in the several branches of the Government service are subject to examinations made under the civil service rules. This number will, of course, increase from year to year.

CHAPTER IV.

THE DEPARTMENT OF STATE.

1. The head of this department is the Secretary of State, the first in rank among the Cabinet officers. He is charged, under the direction of the President, with the duties relating to correspondence with the public ministers and consuls of the United States, and the representatives of all governments accredited to the United States. He is the medium of correspondence between the President and the Governors of the several States; has charge of the great seal of the United States, and countersigns and affixes such seal to all executive proclamations, to various commissions, and to warrants for pardon, and the extradition of fugitives from justice. He is the custodian of all treaties made with foreign States, and of the laws of the United States. He grants and issues passports, and exequaturs to foreign consuls in the United States are issued through his office. He publishes the laws and resolutions passed by Congress, amendments to the Constitution, and all proclamations issued by the President. He is required to make certain annual reports to Congress relating to commercial information received from diplomatic and consular officers of the United States.

2. Besides the Secretary of State, there is in this department an Assistant Secretary, Second Assistant Secretary, and Third Assistant Secretary. In the absence of the Secretary of State, the Assistant Secretary becomes acting Secretary. Under the organization of the department, these three officers are respectively charged with the immediate supervision of all correspondence with the diplomatic and consular officers of the United States in the countries named in divisions A, B, and C of those bureaus, and of the miscellaneous correspondence relating thereto. They are intrusted with the preparation of the correspondence upon any question arising in the course of the public business that may be assigned them by the Secretary.

The Chief Clerk of the department has the general supervision of the clerks and employes and clerical work and business therein.

3. There are four bureaus in the department, as follows: Bureau of Indexes and Archives, Diplomatic Bureau, Consular Bureau, and Bureau of Accounts. To the

Bureau of Indexes and Archives

belongs the duty of opening the mails; preparing, registering, and indexing daily all correspondence to and from the department, both by subjects and persons; the preservation of the archives, and answering calls of the Secretary, Assistant Secretaries, Chief Clerk, and Chiefs of Bureaus for correspondence, &c. The

Diplomatic Bureau

has charge of diplomatic correspondence and miscellaneous correspondence relating thereto. It has three divisions, A, B, and C. Each of these divisions is charged with the correspondence relating to certain governments. The

Consular Bureau

has charge of the correspondence with consulates and miscellaneous correspondence relating thereto. It has three divisions, A, B, and C, to each of which certain countries are assigned. The

Bureau of Accounts

is charged with the custody and disbursement of the appropriations under the direction of the department; has the custody of indemnity bonds, and the care of the building and property of the department. This bureau not only disburses the moneys appropriated by Congress for the pay of the officers, clerks, employés, and incidental expenses of the department, but for all the expenses connected with the diplomatic and consular service of the government. The office of the

Rolls and Library

has custody of the rolls, treaties, &c.; promulgation of the laws, &c.; care and superintendence of the library and public documents; care of the Revolutionary archives, and papers relating to international commissions. The office of

Statistics

has charge of the reports upon commercial relations. The

Examiner of Claims

(from the Department of Justice) has charge of the examination of questions of law and other matters submitted by the Secretary or Assistant Secretary, and of all claims.

Salaries.

4. Assistant Secretary of State, \$4,500; Second and Third Assistant, \$3,500; chief clerk, \$2,750; Chiefs of Bureaus, \$2,100; translator, \$2,100.

Foreign Legations at Washington.

5. The following foreign powers have envoys extraordinary and ministers plenipotentiary accredited to the United States, resident at Washington, each legation having from one to ten or more attachés: Argentine Republic, Austria-Hungary, Belgium, Brazil, Chili, China, France, Guatemala, and Salvador, German Empire, Great Britain, Hiwail, Hayti, Italy, Japan, Mexico, Portugal, Russia, Spain, Sweden and Norway, Switzerland, Turkey.

The following have ministers resident: Denmark, Netherlands, Peru. Uruguay and Venezuela have each a chargé d'affaires.

6. The United States Government has envoys extraordinary and ministers plenipotentiary accredited to the following foreign governments: Austria-Hungary, Brazil, Central American States, Chili, China, Corea, France, German Empire, Great Britain, Italy, Japan, Mexico, Peru, Russia, Spain, Turkey.

It has Ministers Resident accredited to the Argentine Republic, Belgium, Bolivia, Columbia, Denmark, Greece, Hiwailian Islands, Hayti, Liberia, The Netherlands, Persia, Portugal, Roumania, Servia, Siam, Sweden and Norway, Switzerland, Venezuela. And chargé d'affaires accredited to Paraguay and Uruguay, and Santa Domingo.

7. The salaries of the envoys extraordinary and ministers plenipotentiary to France, Germany, Great Britain, and Russia, are \$17,500 a year; to Austria, Brazil, China, Italy, Japan, Mexico, and Spain, \$12,000; to Central American States, Chili, and Peru, \$10,000; to Turkey, \$7,500; to Corea, \$5,000; Ministers Resident to Argentine Republic, Belgium, Columbia, Hiwailian Islands, Netherlands, Sweden and Norway, and Venezuela, \$7,500; Ministers Resident and Consuls General to Bolivia, Denmark, Hayti, Liberia, Persia, Portugal, Siam, and Switzerland, \$5,000. Many consuls are paid by fees; the salaries of others range from \$1,000 to \$6,000.

CHAPTER V.

THE WAR DEPARTMENT.

1. The Secretary of War, who is the head of this department, performs such duties as may be enjoined on him by the President (who is commander-in-chief) relative to military commissions, the military forces, the warlike stores, and other matters respecting military affairs. He conducts the business of the department as directed by the President. He has the custody of the books, records, rolls, and papers of the department. The transportation of troops, munitions of war, equipments, military property and stores, is under his immediate control, and he superintends the purchase and distribution of all army supplies. He provides for taking meteorological observations at the several military stations in the States and Territories, and for giving notice on the northern lakes and sea-coast, by telegraph and marine signals, of the approach of storms. He has, through the chief signal officer of the army, general supervision of the signal service.

He makes an annual report to Congress, relative to the appropriations for his department; contracts for supplies and contingent expenses; and concerning examinations and surveys of rivers and harbors. And he lays before Congress in February of each year an abstract of the returns of the adjutants general of the several States, of the militia thereof.

2. The chief clerk receives the official mail and correspondence of the department, and distributes, records, and answers it; keeps the accounts of appropriations and estimates; is the medium of communication between the Secretary and the various officers of the department, and has, under the Secretary, the general superintendence of the department and the clerical work therein.

3. There are ten bureaus in the department, each under the direction of an officer of the regular army of the United States, and forming a part of the regular military establishment. These bureaus, with their special duties, are as follows:

4. *The Adjutant General* promulgates the orders of the President and lieutenant general commanding the army, conducts correspondence between the lieutenant general and the army, receives reports from officers of the army, issues commissions to officers and receives their resignations, superintends recruiting and the military prison at Leavenworth, has charge of the records concerning the enlistment and drafting of volunteers, has charge of all muster-rolls, makes consolidated reports of the whole army, and has charge, under the lieutenant general, of the details relating to its discipline.

5. *The Inspector General*, with his assistants, inspects and reports upon the *personnel* and the *material* of the army, at all posts, stations, and depots, and gives instruction relative to the correct interpretation of doubtful points of law, regulations, and orders, and upon other mooted questions regarding the proper performance of military duties; they also inspect the money accounts of all disbursing officers of the army.

6. *The Quartermaster General*, aided by his assistants, provides quarters and transportation for the army, clothing, camp, and garrison equipage, horses and mules, forage, wagons, stores, stationery, fuel, lights, straw, hospitals, and medicines; pays the expenses of guides, spies, and interpreters, and veterinary surgeons; pays the funeral expenses of officers and men, and has charge of all National cemeteries.

7. *The Commissary General* has control of the subsistence department of the army, and disburses the appropriations made therefor; the pro-

viding of rations and their issue to the army; the purchase and distribution of articles to be kept for sale to officers and enlisted men; and the examination and adjustment of accounts and returns for subsistence funds and supplies, preliminary to their settlement by the accounting officers of the Treasury.

8. *The Surgeon General*, under the immediate direction of the Secretary of War, is charged with the administrative duties of the medical department of the army; he designates the stations of medical officers, and issues all orders and instructions relating to their professional duties. He has charge of the selection, purchase, and distribution of the medical supplies of the army. The army medical museum and the official publications of the Surgeon General's office are under his direct control.

9. *The Paymaster General* and his assistants pay the army, including the officers and enlisted men, and also all certificates issued by the Second Auditor of the Treasury, keeping accounts and records thereof.

10. *The Chief of Engineers* commands the corps of engineers, a part of the regular army establishment, and which is charged with all engineering duties relating to fortifications, either permanent or temporary; with torpedoes for coast defense; with all works for attack and defense of places; with all military bridges, and with such surveys as may be required for these objects, or the movement of armies in the field. It is also charged with harbor and river improvements; with military and geographical explorations and surveys; with the survey of the lakes, and with any other engineer work specially assigned to the corps by act of Congress or orders of the President.

11. *The Chief of Ordnance* has charge of the ordnance department, which provides, preserves, distributes, and accounts for every description of artillery, small arms, and all the munitions of war required for the fortresses of the country, the armies in the field, and for the militia of the Union. This duty comprises that of determining the general principles of construction and prescribing in detail the models and forms of all military weapons employed in war. Also the duty of prescribing regulations for the proof and inspection of all those weapons, for maintaining uniformity and economy in their construction, for insuring their good quality, and for their distribution and preservation. For carrying into effect these general purposes, large appropriations are made annually, and extensive operations are conducted at the National armories, arsenals, and ordnance depots.

12. *The Judge-Advocate General* and his assistants receive, review, and have recorded the proceedings of all courts-martial, courts of inquiry, and military commissions of the army, and furnish reports and opinions on such questions of law and other matters as may be referred to the bureau of military justice by the Secretary of War.

The Chief Signal Office has charge of the instruction of officers and men in signal duties, supervises the preparation of maps and charts connected therewith, and has the reports from the numerous stations consolidated and published.

13. The chief clerk in the War Department receives an annual salary of \$2,750, and the chief clerk in each of the military bureaus receives \$2,000 a year. The chiefs of the several bureaus receive pay according to their rank and standing in the regular army.

14. *The Regular Army—Its Composition, &c.*—The regular army comprises one lieutenant general, three major generals, six brigadier generals, five regiments of artillery, ten regiments of cavalry, twenty-five regiments of infantry, an adjutant general's department, an inspector general's department, a quartermaster's department, a subsistence department, a corps of engineers, a battalion of engineer soldiers, an ordnance department, the enlisted men of the ordnance department, the medical department, the hospital stewards of the medical department, a pay department, a chief signal officer, a bureau of military justice, eight judge-advocates, thirty post chaplains, four regimental

chaplains, an ordnance sergeant and a hospital steward for each military post, one band stationed at the military academy at West Point, a force of Indian scouts not exceeding one thousand, the officers of the army on the retired list.

15. Each regiment of artillery consists of twelve batteries, and has one colonel, one lieutenant colonel, one major for every four batteries, one adjutant, one quartermaster and commissary, one sergeant major, one quartermaster sergeant, one chief musician, and two principal musicians. The adjutant and quartermaster and commissary have the rank of first or second lieutenants.

Each battery of artillery consists of one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster sergeant, four sergeants, four corporals, two musicians, two artificers, one wagoner, and not more than one hundred and twenty-two privates. A first and second lieutenant, two sergeants, and four corporals may be added, at the discretion of the President.

16. Each regiment of cavalry consists of twelve troops, one colonel, one lieutenant colonel, three majors, one adjutant, one quartermaster, one veterinary surgeon, one sergeant major, one quartermaster sergeant, one saddler sergeant, one chief musician, one chief trumpeter. The adjutant and quartermaster have the rank of first or second lieutenant. The enlisted men of two of the cavalry regiments are colored.

Each troop of cavalry consists of one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster sergeant, five sergeants, four corporals, two trumpeters, two farriers, one saddler, one wagoner, and not more than seventy-eight privates.

17. Each infantry regiment consists of ten companies, one colonel, one lieutenant colonel, one major, one adjutant, one quartermaster, one sergeant major, one quartermaster sergeant, one chief musician, and two principal musicians. The enlisted men of two regiments of infantry are colored.

Each company of infantry consists of one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster sergeant, four sergeants, four corporals, two artificers, two musicians, one wagoner, and not more than one hundred privates.

18. The enlisted men in the army cannot exceed thirty thousand at one time. The term of enlistment is five years. Chaplains have the rank of captain of infantry, and are on the same footing as other officers as to tenure of office, retirement, and pensions.

19. The adjutant general's department consists of one adjutant general, with the rank of brigadier general; two assistant adjutants general, with the rank of colonel of cavalry; four with rank of lieutenant colonel of cavalry; and thirteen with the rank of captain of cavalry.

20. The quartermaster's department consists of one quartermaster general, with the rank of brigadier general; six assistant quartermasters general, with the rank of colonel of cavalry; ten deputy quartermasters general, with the rank of lieutenant colonel of cavalry; twelve quartermasters, with the rank of major of cavalry; and thirty assistant quartermasters, with the rank of captain of cavalry.

21. The subsistence department consists of one commissary general of subsistence, with the rank of brigadier general; two assistant commissaries general, with the rank of colonel of cavalry; two with the rank of lieutenant colonel of cavalry; eight commissaries of subsistence, with the rank of major of cavalry; and sixteen with the rank of captain of cavalry.

22. The corps of engineers consists of one chief of engineers, with the rank of brigadier general; six colonels, twelve lieutenant colonels, twenty-four majors, thirty captains, twenty-six first lieutenants, and ten second lieutenants.

The battalion of engineers consists of five companies, each company having ten sergeants, ten corporals, two musicians, and not exceeding one hundred and twenty-eight privates.

23. The ordnance department consists of one chief of ordnance, with the rank of brigadier general; three colonels, four lieutenant colonels; ten majors; twenty captains; sixteen first lieutenants, and ten second lieutenants.

24. The medical department consists of one surgeon general, with the rank of brigadier general; one assistant surgeon general, with the rank of colonel of cavalry; one chief medical purveyor and four assistants, with the rank of lieutenant colonel of cavalry; sixty surgeons, with the rank of major; one hundred and fifty assistants, with the rank of lieutenant of cavalry for the first three years of service, and rank of captain of cavalry thereafter; and five medical store-keepers, with the rank of captain of cavalry.

25. The pay department consists of one paymaster general, with the rank of brigadier general; two assistant paymasters general, with the rank of colonel of cavalry; two deputy paymasters general, with the rank of lieutenant colonel of cavalry; and sixty paymasters, with the rank of major of cavalry.

26. The chief signal officer has the rank of colonel of cavalry.

27. The bureau of military justice consists of one judge advocate general, with the rank of brigadier general, and one assistant, with the rank of colonel of cavalry. Besides these there are eight judge advocates, with the rank of major of cavalry.

28. Promotions in the line of the army are made through the whole army, in its several lines of artillery, cavalry, and infantry respectively. Promotions in the staff are made in the several departments and corps respectively.

29. Brevet commissions may be given by the President for distinguished services in presence of the enemy; but no brevet rank entitles an officer to any additional pay or to precedence or command except when assigned to duty according to his brevet rank by the President.

30. All appointments in the army, aside from graduates from the military academy and regular promotions, are made by the President and confirmed by the Senate.

Pay of Officers and Enlisted Men.

31. The yearly pay of commissioned officers of the army is as follows: Lieutenant general, \$11,000; major general, \$7,500; brigadier general, \$5,500; colonel, \$3,500; lieutenant colonel, \$3,000; major, \$2,500; captain, mounted, \$2,000; captain, not mounted, \$1,800; adjutant, \$1,800; regimental quartermaster, \$1,800; first lieutenant, mounted, \$1,600; first lieutenant, not mounted, \$1,500; second lieutenant, mounted, \$1,500; second lieutenant, not mounted, \$1,400; chaplain, \$1,500; aid to major general, \$200 in addition to pay of his rank; aid to brigadier general, \$150 in addition to pay of his rank; acting assistant commissary, \$100 in addition to pay of his rank; store-keeper, \$2,000.

32. All commissioned officers below the rank of brigadier general are allowed ten per cent. of their current yearly pay additional for every five years of service. But such increase shall never exceed forty per cent., and the pay of a colonel shall never exceed \$4,500, nor that of a lieutenant colonel, \$4,000.

33. Officers retired from active service receive seventy-five per cent. of the pay of the rank on which they retired, and one year's pay and allowance of the highest rank held by them.

34. The monthly pay of enlisted men is as follows, in addition to rations and clothing: Chief trumpeter of cavalry, \$22; principal musicians of artillery and infantry, \$22; saddler sergeants, \$22; first sergeants, \$22; sergeants, \$17; corporals, \$15; saddlers, \$15; blacksmiths and farriers, \$15; trumpeters, musicians, and privates, \$13; hospital stewards, first class, \$30; second class, \$22; ordnance sergeants of posts, \$34; sergeant majors and quartermaster sergeants of engineers, \$36; sergeants of engineers and ordnance, \$34; corporals of same, \$20; privates of engineers, first class, \$17; same, second class, \$13.

In addition to this rate of pay, all enlisted men receive one dollar per month additional for their third year of service, two dollars for the fourth year, and three dollars for the fifth year, making in all three dollars per month increase for the fifth year. All enlisted men, who are honorably discharged and reënlist within one month thereafter, after five years' service, including the first enlistment, receive three dollars per month in addition to the ordinary pay allowed them.

The leader of the military band at West Point receives \$75 a month; the chief musicians of regiments receive \$60 a month, and the allowances of a quartermaster sergeant.

35. Officers of the army who have served forty years consecutively as commissioned officers, on application, shall be placed on the retired list; those who have served thirty years consecutively, may, on application, be placed on the retired list, at the discretion of the President; those who have served forty-five years consecutively, or are sixty-two years old, may be retired at the discretion of the President. Disabled officers may be retired from active service, or placed on the retired list, after examination by a retiring board, as provided by law. The whole number of officers on the retired list can never exceed three hundred at any time.

36. *The Military Academy.*—The officers of the army are largely supplied from the graduates from the military academy at West Point, New York, which is sustained by the United States, by appropriations made by Congress from year to year. Here thorough and practical instruction is given in everything pertaining to the science and practice of war, and in the several branches of learning necessary to the proper understanding and use of the same.

The President appoints one person from each Congressional district in the United States, one from the District of Columbia, one from each of the Territories, and ten persons at large, as cadets to the military academy, to serve eight years. Appointees must be between the ages of seventeen and twenty-two years. Before being admitted to the academy, they are examined under regulations prescribed by the Secretary of War, and besides being of good character, and having the necessary physical qualifications, must be well-versed in reading, writing, and arithmetic, and have a knowledge of the elements of English grammar, descriptive geography, particularly of the United States, and of the history of the United States. And before their admission they must take the following oath or affirmation: "I, ———, do solemnly swear that I will support the Constitution of the United States, and bear true allegiance to the National Government; that I will maintain and defend the sovereignty of the United States, paramount to any and all allegiance, sovereignty, or fealty I may owe to any State, county, or country whatsoever; and that I will at all times obey the legal orders of my superior officers, and the rules and articles governing the armies of the United States."

Cadets are usually selected by the Congressmen from the several districts, from those persons having the necessary qualifications, and must be actual residents of the districts for which they are appointed. Vacancies occasioned by death, or otherwise, are filled in the same manner as original appointments.

Cadets receive \$500 a year, and one ration a day, during their continuance at the military academy, and at their graduation are commissioned second lieutenants in one or other of the several lines of service in the army.

During their continuance at the military academy, they are governed by the articles of war for the government of the armies of the United States, and may be dismissed by sentence of a court-martial for improper conduct.

CHAPTER VI.

THE TREASURY DEPARTMENT.

Secretary of the Treasury.

1. The Secretary of the Treasury has charge of the national finances. He considers and prepares plans for the improvement and management of the revenue and support of the public credit; superintends the collection of the revenue, and prescribes the form of keeping and rendering all public accounts, and making returns; grants all warrants for money to be issued from the Treasury in pursuance of appropriations made by Congress, and audits and settles all public accounts; makes report and gives information to either branch of Congress, as may be required, respecting all matters referred to him by the Senate or House, and generally performs all duties relative to the finances as directed by law. He controls the erection of public buildings, the coinage and printing of money, the collection of commercial statistics, the marine hospital, the revenue-cutter service, and the life-saving service. Under his superintendence, the Light House Board discharge the duties relative to the construction, illumination, inspection, and superintendence of light-houses, light-vessels, beacons, buoys, sea-marks, and their appendages. He makes provision for the payment of the public debt, under laws passed by Congress, publishes statements concerning it, and at the commencement of each session of Congress submits estimates of the probable receipts, and necessary expenses, for the ensuing year.

2. The routine work of the secretary's office is transacted in nine offices, or divisions, as follows: Division of appointments; of warrants; of estimates and appropriations; of public moneys; of customs; of internal revenue and navigation; of loans and currency; of revenue marine; of stationery, printing, and blanks; of special agents. The designations of these divisions indicate the class of work assigned to each.

3. The Treasury Department has the supervision of all officers connected with the collection of customs duties throughout the United States, and of all laws and regulations relating thereto. These duties are collected on imports and exports, at the several ports throughout the Union, by officers appointed for that purpose. The principal of these officers are denominated collectors, deputy collectors, surveyors, and naval officers. In New York, Boston, and other principal ports, the collection of duties is a very important matter, and large numbers of persons are employed in the customs service. The principal officers are appointed by the President and the subordinate officers and clerks are appointed by these, after a careful and rigid examination by the Board of Civil Service Commissioners, under rules and regulations made in pursuance of law. The internal revenue taxes are also assessed and collected under the direction of the Treasury Department.

ASSISTANT SECRETARIES OF THE TREASURY.

4. One of these has general supervision of all work assigned to the divisions of customs, special agents, revenue marine, internal revenue and navigation, of the offices of supervising architect, superintendent of life-saving service, supervising surgeon-general of the marine hospital service, bureau of statistics, and supervising-inspecting general of steamboats; he has also the signing of all letters and papers as assistant

secretary, or "by order of the secretary," relating to the business of these divisions, not requiring the signature of the Secretary of the Treasury. He discharges, in addition, such other duties as the secretary or the law may direct.

5. The other assistant secretary has the general supervision of all the work assigned to the divisions of appointments, warrants, estimates, appropriations, public moneys, stationery, printing and blanks, loans and currency, bureau of engraving and printing, and office of director of the mint; he also has the signing of all letters and papers as assistant secretary, or "by order of the secretary," relating to the business of these divisions and bureaus, not requiring the signature of the Secretary of the Treasury. And he discharges such other duties as the secretary or the law may direct.

6. The chief clerk supervises, under the immediate direction of the secretary and assistant secretaries, the clerks and employes and clerical work of the department. He has charge of the mails, the horses, wagons, carriages, &c., employed in the department; the appropriations for contingent expenses; the custody of the records and papers, and answers all calls for copies thereof; has charge of the official correspondence of the secretary's office, to see that it is in correct official form, and sees that the general regulations of the department are enforced.

First Comptroller.

7. The First Comptroller countersigns all warrants issued by the Secretary of the Treasury covering the public revenues into the treasury, and authorizing payments therefrom. All accounts examined by the first auditor, save those going to the Commissioner of Customs, those examined by the fifth auditor, and accounts of registers and receivers of land offices examined by the Commissioner of the General Land Office, are reexamined in the first comptroller's office. Here also are examined and reported on the drafts for salaries and expenses of ministers and consuls abroad, and the requisitions for advances to marshals, internal revenue collectors, secretaries of the Territories, and other disbursing officers. Powers of attorney for the collection of drafts on the treasury are here examined, and many other duties performed relating to the adjustment of claims against the United States.

Second Comptroller.

8. The Second Comptroller examines, revises, and certifies accounts from the second, third, and fourth auditors against the United States, as follows: For organizing volunteers, recruiting, pay of the army, special military accounts, army ordnance, the Indian service, army medical department, contingent military expenses, bounty to soldiers, soldiers' home, and National Home for Disabled Volunteers; from the third auditor for disbursements by the quartermaster's department, subsistence department, engineer department, army pensions, property taken by military authority for the use of the army, and miscellaneous war claims; from the fourth auditor for disbursements for the marine corps, by navy paymasters for pay and rations, by paymasters at the navy-yards, for navy pensions at foreign stations, and the financial agent at London. These accounts are examined in divisions, devoted respectively to affairs of army paymasters, army quartermasters, navy paymasters, and the marine corps, army pensions, miscellaneous claims, and Indian affairs.

Commissioner of Customs.

9. The Commissioner of Customs has special charge of matters pertaining to the collection of customs duties. He revises and certifies the accounts of revenues collected from duties on imports and tonnage; of moneys received on account of the marine hospital fund; fines, penalties, and forfeitures under the customs and navigation laws; steanboat

inspection; licenses to pilots, engineers, &c.; from miscellaneous sources connected with customs matters, accounts of importation, withdrawal, transportation, and exportation of goods under the warehouse system; disbursements for the expenses of collecting the revenue from customs, revenue cutter service, construction and maintenance of lights, marine hospitals, debentures, excess of deposits for unascertained duties, refund of duties exacted in excess, life-saving service, construction of custom-houses and marine hospital, light, fuel, water, &c., for custom-houses; he approves and has custody of the official bonds given by customs officers, and transmits their commissions, has charge of the oaths of office of persons connected with the customs service, and prepares for the use of the law officers of the department the accounts of officers in arrears to the Government through his office.

His office is organized in four divisions, as follows: Division of customs, of book-keeping, of bond, and miscellaneous division.

First Auditor.

10. There are six auditors in the Treasury Department to whom are referred the various accounts in favor of and against the Government for examination and settlement. Accounts are first examined by an auditor, and afterwards by one of the comptrollers of the treasury, or the Commissioner of Customs, except those settled by the sixth auditor.

11. The First Auditor receives all accounts accruing in the Treasury Department, (except such as arise under the internal revenue laws,) and after examining and certifying the balance, transmits them with the vouchers and certificates to the first comptroller or to the commissioner of customs having respectively the revision thereof. His office has five divisions, to which are referred respectively the following accounts:

12. *Custom Division*.—Receipts and expenditures of the customs service, including fines, emoluments, forfeitures, debentures, drawbacks, marine hospital service, revenue cutter service, &c.

13. *Judiciary Division*.—Accounts for salaries of United States marshals, district attorneys, commissioners and clerks, rent of court-houses, support of prisons, &c.

14. *Public Debt Division*.—Redemption of the public debt, including principal, premium, and interest, payment of interest, redemption of certificates of deposit, notes destroyed.

15. *Warehouse and Bond Division*.—Accounts received from custom-houses.

16. *Miscellaneous Division*.—Accounts of mints and assay offices, Territories, coast survey, salaries, and incidental expenses of the legislative, executive, and judicial departments of the Government; construction, repair, and preservation of public buildings; Treasurer of the United States for general receipts and expenditures.

Second Auditor.

17. The Second Auditor examines and transfers to the second comptroller all accounts relating to bounties, recruiting service, pay and clothing of the army, subsistence of officers, medical and hospital accounts, pay of private physicians, expenses of the War Department, contingent disbursements of the army, and Indian affairs. There are six divisions in the office, to which the accounts are referred respectively, as follows:

18. *Paymasters' Division*.—Army paymasters' accounts, and accounts of payments to the Soldiers' Home, and the National Home for Disabled Volunteers.

19. *Miscellaneous Claims Division*.—Accounts of the Ordnance and Medical Department of the army, contingent expenses, army medical museum and publications, regular and volunteer recruiting, freedmen's bounty and pay.

20. *Indian Affairs Division*.—Disbursements for the Indians, money accounts and property returns of Indian agents, and claims for goods supplied and services rendered.

21. *Pay and Bounty Division*.—Examination and adjustment of claims of soldiers and their heirs for pay and bounty.

22. *Investigation of Frauds Division*.—Investigation of alleged cases of forgery, fraud, overpayments, unlawful withholding of money, &c., in payment of soldiers.

23. *Book-keepers' Division*.—Accounts of the numerous requisitions drawn by the Secretaries of War and Interior, are here examined and charged to the various appropriations.

Third Auditor.

24. The Third Auditor examines and transfers to the second comptroller all accounts relating to the Quartermaster General's Department, engineer corps, Commissary General's Department, lost horses, unpaid pensions, State war claims, and claims of States for organizing and putting in the field volunteers after 1861. The office has six divisions, to which these accounts are referred, as follows:

25. *Book-keepers' Division*.—Accounts of the numerous requisitions drawn by the Secretary of War and Interior, examined and charged to the various appropriations.

26. *Quartermaster's Department*.—Accounts of disbursements for barracks and quarters, hospitals, offices, stables, and transportation of supplies; purchase of clothing, camp, and garrison equipage, horses, feed, forage, straw, bedding, stationery; payments to hired men and extra duty men; hired escorts, expresses, interpreters, spies, and guides; veterenary surgeons and medicines for horses; supplying posts with water; all other authorized outlays connected with the movements of the army.

27. *Subsistence and Engineer Division*.—Accounts of all commissaries in the army for the purchase and distribution of stores; officers of the engineer corps who disburse money for the military academy, improvement of rivers and harbors, construction and preservation of fortifications, coast surveys, lake and river surveys, and construction and repairs of breakwaters.

28. *Army Pension Division*.—Accounts relating to the payment of pensions by the various pension agents. An account is kept with each pension agent, charging him with all moneys advanced for the payment of pensions, under the proper bond and fiscal year. At the close of each month, the agent sends in his vouchers and abstracts, direct to this office, where a preliminary examination is made to see if the money has been properly accounted for. The receipt of the account is then acknowledged, and the account filed for audit. Each voucher is subsequently examined, and the payment entered in the roll-book opposite the pensioner's name. The agent's account, when audited, is handed to the second comptroller for his revision, and a copy of the statement of errors, if any, sent to the pension agent for his information and explanation. After being revised by the second comptroller, it is returned to this office and filed, where it permanently remains.

29. *State, War, and Horse Claims*.—Accounts of claims of the several States and Territories for expenses incurred in putting in the field troops employed by the Government in suppressing the Rebellion; claims for the loss of horses and equipage by officers and enlisted men in the military service, and for horses, mules, &c., lost while in the service by imprisonment or contract.

30. *Miscellaneous Claims Division*.—Accounts for stores appropriated, purchase of vessels, railroad stock, horses, and other means of transportation; occupation of real estate, court-martial fees, traveling fees, &c.; compensation for vessels, cars, engines, &c., lost in the military service; claims growing out of the Oregon and Washington war of 1855-56,

and other Indian wars; claims of various descriptions under special acts of Congress, and others not specially assigned.

31. *Collection Division*.—Prepares accounts for suit against defaulting officers; answers calls for information from the files of the office; examines claims for bounty land and pensions allowed to the soldiers of 1812, and certifies them to the Commissioner of Pensions.

Fourth Auditor.

32. The Fourth Auditor examines, adjusts, and transmits to the second comptroller all accounts relating to the pay, expenditures, pensions, and prize money of the navy, and the accounts of the Navy Department. His office is organized in three divisions, to which these accounts are respectively referred, as follows:

33. *Record Prize Division*.—Examines accounts for prize money, and prepares tabulated statements called for by Congress.

34. *Navy Agents' Division*.—Accounts of navy agents for disbursements at the several navy-yards.

35. *Paymasters' Division*.—Accounts of navy paymasters including mechanics' rolls.

Fifth Auditor.

36. The Fifth Auditor examines, adjusts, and transmits to the first comptroller the diplomatic and consular accounts, expenditures of the State Department, including all international commissions; accounts of the internal revenue, census, Smithsonian Institute, National Museum, and expenses of the Post-office Department. It has three divisions, to which the several accounts are referred, as follows:

37. *Diplomatic and Consular Division*.—Accounts of all diplomatic missions abroad for salaries, contingencies, and loss by exchange; consular accounts for fees, salaries, loss by exchange, contingent expenses, emoluments, salaries of interpreters and marshals, consular courts and prisons; relief and passage of American seamen; return of American seamen charged with crime; rescuing shipwrecked American seamen; estates of American citizens and seamen dying abroad; accounts of the bankers of the United States at London; awards of commissions, and expenses of international exhibitions; commissions, boundary surveys, &c.

38. *Internal Revenue Division*.—Accounts of collectors of internal revenue, including salaries, contingent expenses, and compensation of storekeepers.

39. *Miscellaneous Division*.—All miscellaneous internal revenue accounts, including salaries, and expenses of agents, surveyors of distilleries, fees and expenses of gaugers, stamp agents' accounts, counsel fees, drawbacks, refunded taxes, redemption of stamps manufacture of paper and stamps, and salaries in the commissioner's office; accounts of census office, Smithsonian Institute, and National Museum; contingent expenses of the Post-office Department, and sundry accounts of the Department of State, and patent office.

Sixth Auditor.

40. The Sixth Auditor settles all accounts relating to the postal service, and his action on these is final, unless an appeal is taken in twelve months to the first comptroller. He superintends the collection of all debts due the Post-office Department, and all penalties imposed on postmasters and mail contractors; directs suits and legal proceedings, civil and criminal, and enforces the payment of all moneys due the Post-office Department. There are eight divisions in his office, among which the work is divided as follows:

41. *Collecting Division*.—Collection of all balances due from postmasters, late postmasters, and contractors; also payment of all balances due such persons, and the adjustment and final settlement of all postal accounts.

42. *Stating Division*.—Here the general accounts of postmasters and late postmasters are fully stated and kept in charge.

43. *Examining Division*.—Audits the quarterly accounts of all post-offices. It has four sub-divisions—opening-room, stamping-rooms, examining corps, and error-rooms.

44. *Money-Order Division*.—Here accounts of money-orders paid and received are examined, assorted, checked, and filed, remittances registered and checked, and errors corrected.

45. *Foreign Mail Division*.—Has charge of postal accounts with foreign governments and steamship companies for ocean transportation.

46. *Registering Division*.—Receives from the examining division the quarterly accounts of all post-offices, reexamines and registers them, so as to show at the end of each fiscal year the total receipts and expenditures of the mail service.

47. *Pay Division*.—Examines all accounts for carrying the mails, railway postal service, railway postal clerks, route agents, local agents, mail depredations, special agents, free-delivery system, postage stamps, postal cards, envelopes, stamps, maps, wrapping paper, twine, mail bags, locks and keys, advertising, fees in suits on postal matters, and miscellaneous accounts.

48. *Book-keeping Division*.—Keeping the ledger accounts of the Post-office Department, including postmasters, late postmasters, contractors, late contractors, and all accounts, whether general, special, or miscellaneous.

Treasurer of the United States.

49. The Treasurer of the United States has the custody of all public moneys received into the treasury at Washington, or in the sub-treasuries at Boston, New York, Philadelphia, Baltimore, Charleston, Cincinnati, St. Louis, and San Francisco, and in the depositories and depository banks. He disburses all public moneys on the warrants of the Secretary of the Treasury and on the warrants of the Postmaster General. He issues and redeems treasury notes, is agent for the redemption of the circulating notes of national banks, is trustee of the bonds held for securing the circulating notes of national banks, and of bonds held as security for public deposits; is custodian of Indian trust funds; is agent for paying the interest on the public debt, and for paying the salaries of members of Congress. There are six sub-divisions in the treasury office, having charge of the following matters:

50. *Issue Division*.—In which legal-tender notes, coin certificates, and currency are issued.

51. *Redemption Division*.—Where coin certificates, national bank notes, fractional currency, &c., are redeemed and generally destroyed by incineration.

52. *Loan Division*.—Where bonds are issued, purchased, retired, cancelled, or converted.

53. *Accounts Division*. In which the accounts of the treasury, sub-treasuries, and national banks used as depositories are kept.

54. *National Bank Division*.—Here bonds held as security for national bank circulation are examined, and notes issued, redeemed, and cancelled.

55. *National Bank Redemption Agency*.—In which notes of banks are redeemed and accounted for.

Register of the Treasury.

56. The Register of the Treasury has charge of the great account books of the United States, which show every receipt and disbursement of the

Government, and from which the statements are annually made for transmission to Congress. He signs and issues all bonds, treasury notes, and other securities; registers all warrants drawn by the secretary on the treasury, as well as those drawn by the Postmaster General; transmits statements of balances due to individuals after their settlement by the first comptroller, on which payment is made; issues ships' registers, licenses, and enrollments; prepares annual returns of all vessels built, lost, or destroyed; and prepares statements of the tonnage of vessels in which importations and exportations are made, with the various articles and their value. His office has five divisions, in which these duties are severally discharged, as follows:

57. *Coupon and Note Division.*—Where bonds, interest coupons, gold certificates, and certificates of deposit and indebtedness are examined, registered, and issued or redeemed.

58. *Note and Fractional Currency Division.*—In which treasury notes, notes of national banks gone into liquidation, and mutilated fractional currency are examined, cancelled, and destroyed.

59. *Loan Division.*—Here registered and coupon bonds are issued, registered bonds transferred, coupon bonds converted into registered, the ledger accounts kept with holders of registered bonds, and schedules made on which interest is paid on the same.

60. *Receipts and Expenditures Division.*—In this division the ledgers of the United States are kept, showing civil, diplomatic, internal revenue, miscellaneous, and public debt receipts and expenditures; also statements of the warrants and drafts registered.

61. *Tonnage Division.*—Here the accounts are kept showing the registered, enrolled, and licensed tonnage, divided into different classes, and showing what is annually built, and what is employed in the fisheries of different kinds.

Comptroller of the Currency.

62. The Comptroller of the Currency, under the Secretary of the Treasury, has the control and management of the national banks organized throughout the Union. His office has four divisions, discharging the following duties:

63. *Issue Division.*—Prepares and issues the circulating notes of national banks.

64. *Redemption Division.*—Redeems and destroys notes issued by national banks.

65. *Reports Division.*—Has charge of the examination and consolidation of reports of national banks.

66. *Organization Division.*—Has charge of the organization of all national banks.

Director of the Mint.

67. The Director of the Mint has general supervision of all the mints and assay offices. He reports their operations and condition to the Secretary of the Treasury, and prepares and lays before him the annual estimates for their support. With the approval of the Secretary of the Treasury, he prescribes regulations for carrying on the business at the mints and assay offices, the distribution of coin, and the sums to be collected from depositors. He receives and adjusts the monthly and quarterly accounts of superintendents and officers in charge of mints and assay offices, superintends their expenditures, and the annual settlements of the operative offices, and makes such special examinations as he deems necessary. All appointments, removals, and changes of clerks, assistants, and workmen in the mints and assay offices are submitted for his approval. The purchase of silver bullion and allotment of its coinage at the mints are made through the office of the Director, and transfers of public moneys in the mints and assay offices, and ad-

vances from appropriations for the mint service, are made at his request.

The monthly coinage of mints is tested, and ores, bullion, and coins are assayed, at the assay laboratory, under his charge. The values of the standard coins of foreign countries are annually estimated by the Director, and the collection of the statistics of the annual production of precious metals in the United States is made under his direction.

The Solicitor.

68. The Solicitor of the Treasury is an officer in the Department of Justice, having a seal, and is required, under the direction of the Secretary of the Treasury, to take cognizance of all frauds or attempted frauds on the revenue, and has general supervision of all legal measures for their prevention and detection. With the approval of the Secretary of the Treasury, he establishes regulations for the observance of collectors of customs, and with the approval of the Attorney General for the observance of United States Attorneys, marshals, and clerks, respecting suits in which the United States is a party or interested. He may also instruct district attorneys, marshals, and clerks of the circuit and district courts, in all matters and proceedings pertaining to suits in which the United States is interested, except those arising under the internal revenue laws.

He must examine reports of collectors and district attorneys upon bonds delivered for suits, inform the President of false reports of bonds delivered for suit, and supervise statements from district attorneys covering suits, and those from marshals relating to proceedings on executions; also reports from clerks as to judgments and decrees, and he has charge of all post-office litigation.

He has charge of the secret service employes engaged in the detection of persons counterfeiting the coin, currency, or public securities of the United States, and all other frauds on the Government. In addition, the Secretary of the Treasury refers to the solicitor for his opinion a large number of cases arising in his department relating to duties, remission of fines, penalties, and forfeitures, navigation and registry laws, steamboat acts, claims, &c.

69. *Solicitor of Internal Revenue.*—The Solicitor of Internal Revenue is also an officer in the Department of Justice, whose duties are similar to those of the Solicitor of the Treasury, but confined to matters connected with the assessment and collection of internal revenue taxes.

Commissioner of Internal Revenue.

70. The Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury, has charge of all matters pertaining to the assessment and collection of the internal revenue taxes, the preparation and issue of special tax stamps, forms, and stamps of all kinds, and pays into the treasury daily all moneys received by him on account of such taxes. The business of his office is conducted through seven divisions, to which the work is assigned, as follows:

71. *Appointment Division.*—Has charge of issuing commissions, leaves of absence, office discipline, assorting and distributing the mail, registering and copying letters, and caring for the general files; also matters pertaining to messengers, laborers, office stationery, printing, advertising, blanks, and blank books for the office.

72. *Law Division.*—Has charge of questions relating to seizures, suits, abatements, refunding claims, and claims relating to special taxes, bonds purchased for the United States on distraint, and extension of time on distraint.

73. *Tobacco Division.*—Is charged with all matters relating to tobacco, snuff and cigars, not in suit or bond, and stamp tax on medicines and preparations.

74. *Division of Accounts.*—Has charge of the revenue and disbursing accounts, estimates of collectors and their estimates for special allowances, and advertising and the purchase of blank books, newspapers, and stationery for collectors, revenue agents, &c.; also the monthly bills of revenue agents, gaugers, distillery surveyors, and all miscellaneous claims arising under any appropriation for carrying into effect the internal revenue laws, (except for abatement, refunding, and drawback,) the preparation of estimates for appropriations by Congress, and the preparation of the statistical records of the office.

75. *Division of Distilled Spirits.*—This division has charge of all matters pertaining to distilleries, distilled spirits, fermented liquors, wines, rectification, gaugers' fees and instruments, approval of bonded warehouses, and the assignment of storekeepers.

76. *Stamp Division.*—Has charge of the preparation, safe keeping, issue and redemption of stamps for distilled spirits, tobacco, snuff, cigars, fermented liquors, special taxes, the accounts relating thereto, and all business with express companies, and the preparation, custody, and issuing of steel dies for cancelling stamps.

77. *Division of Assessments.*—Prepares the assessment lists, has charge of all reports and returns (except those from distillers, rectifiers, and brewers) affording data from which assessments may be made; keeps the bonded accounts, and has charge of claims for the allowance of drawback.

78. *Division of Revenue Agents.*—Has supervision of the work of revenue agents, examines their reports and accounts and has charge of all matters relating to the discovery and suppression of violations of internal revenue law.

Superintendent of Coast and Geodetic Survey.

79. The Superintendent of the Coast Survey, with his assistants, mostly from the army and navy, is charged, under the direction of the Secretary of the Treasury, with the survey of the coasts of the United States, and rivers emptying into the ocean and the Gulf of Mexico, and with the interior triangulation of the country, including that of connecting the surveys of the eastern and western coasts, determining geographical positions in latitude and longitude, and furnishing points of reference for State surveys. Besides the annual report to Congress, the Survey publishes maps and charts of our coasts and harbors, books of sailing directions, and annual tide tables, computed in advance, for all ports of the United States.

U. S. Marine Hospital Service.

80. The Supervising Surgeon General is charged with the supervision of all matters connected with the marine-hospital service, and with the disbursement of the fund for the relief of the sick and disabled seamen employed on vessels of the mercantile marine of the oceans, lakes, and rivers, and of the revenue-cutter service, the general superintendence of the marine hospitals, the purveying of supplies, the orders, details, and assignments of medical officers, and the examination of property returns.

Inspector of Steam Vessels.

81. The Supervising Inspector General of Steam Vessels superintends the administration of the steamboat inspection laws, presides at the meeting of the Board of Supervising Inspectors, receives all their reports, and examines all their accounts.

The Board of Supervising Inspectors meets in Washington annually, on the third Wednesday of January, to establish and maintain regulations for carrying out the provisions of the law relative to the steamboat inspection service.

Superintendent of the Life-Saving Service.

82. It is the duty of the General Superintendent of the Life-Saving Service to supervise the organization and government of the employés of this service; to prepare and revise regulations therefor as may be necessary; to fix the number and compensation of surfmen to be employed at the several stations; to supervise the expenditure of all appropriations made for the support of the life-saving service; to examine the property returns of the keepers of the several stations, to see that all public property belonging thereto is properly accounted for; to acquaint himself, as far as practicable, with all means employed in foreign countries that may seem to be of advantage to the service, and to cause all plans and devices (appearing to be meritorious) for the improvement of the life-saving service to be properly investigated; to supervise the selection of sites for new stations, or for old ones necessary to be removed; to prepare and submit to the Secretary of the Treasury estimates for the support of the service; to collect and compile the statistics of marine disasters, and submit to the Secretary of the Treasury, for transmission to Congress, an annual report of the expenditures of the appropriations made for the service, and of the operations of the service generally.

From this brief statement of the duties of the Treasury Department, it will be seen that it covers a wide and diversified field, the greater portion of which, however, relates to the finances of the Government and the collection and disbursement of its revenues.

The salaries of the principal officers in the department are as follows: Assistant secretaries, \$4,500; chief clerk, \$3,000; comptrollers, \$5,000; auditors, \$3,600; Treasurer of the United States, \$6,000; assistant treasurer, \$3,600; commissioner of customs, \$4,000; commissioner of internal revenue, \$6,000; comptroller of the currency, \$5,000; supervising architect, \$4,500; director of the mint, \$4,500; chief of the bureau of statistics, \$3,600; chiefs of divisions in Secretary's office \$2,500; chiefs of divisions in Treasurer's office, \$2,500; heads of divisions in internal revenue office, \$2,500; chief of bureau of engraving and printing, \$4,500; chief clerks in the several bureaus and sub-divisions, \$2,000; principal book-keepers, \$2,500; tellers, \$2,500; chiefs of the several divisions, \$2,000; supervising surgeon general, \$4,000; supervising inspector general of steamboats, \$3,500; chief of secret service division, \$3,500; general superintendent of life-saving service, \$4,000. Assistant treasurers of the United States receive salaries as follows: At New Orleans, \$4,000; at Baltimore, Chicago, Cincinnati, Philadelphia, and St. Louis, \$4,500; at Boston, \$5,000; at San Francisco, \$5,500; at New York, \$8,000. The superintendents of the mints receive salaries as follows: At Carson City, \$3,000; New Orleans, \$3,500; Philadelphia and San Francisco, \$4,500. Collectors of customs at the principal ports receive the following salaries: At San Francisco, Chicago, New Orleans, and Baltimore, \$7,000; Boston, \$8,000; New York, \$12,600; Philadelphia, \$8,000. At each of these ports there is a naval officer, at a salary of \$5,000 except in New York, where he receives \$8,000, and a surveyor, who receives about the same salary. Collectors of internal revenue receive from \$2,250 to \$4,500 a year, according to the size and importance of the district; deputy collectors receive from \$1,000 to \$2,000 a year. Captains in the revenue marine service receive \$2,500 a year; first lieutenants, \$1,800; second lieutenants, \$1,500; third lieutenants, \$1,200; and cadets, \$900. The superintendent of the coast survey receives \$6,000 a year. Keepers of light-houses receive from \$200 to \$1,000 a year. The general superintendent of the life-saving service receives \$4,000 a year, and superintendents from \$1,200 to \$1,800. The supervising surgeon general of the marine hospital service gets \$4,000 a year, and the supervising inspector general of steamboat inspection service, \$3,500.

CHAPTER VII.

THE DEPARTMENT OF JUSTICE.

1. The Attorney General is the head of the Department of Justice, and the chief law officer of the Government. He represents the United States in all matters involving legal questions, and gives advice on all questions of law when required by the President, or the heads of the several Executive Departments, on questions of law arising in the administration of their respective departments. He exercises a general superintendence and direction over United States Attorneys and Marshals in all judicial districts in the States and Territories, and provides special counsel for the United States whenever required by any department of Government. He is assisted in the management of the routine work of his department by a Chief Clerk, Law Clerk, and other clerks and employes. The Law Clerk is an examiner of titles, and assists the Attorney General in the investigation of legal questions, and in the preparation of opinions.

Solicitor General.

2. The Solicitor General assists the Attorney General in the discharge of his general duties, and, in case of a vacancy in the office of Attorney General, or of his absence, by special provision of law, discharges all his duties. Except in cases where the Attorney General otherwise directs, the Attorney General and the Solicitor General conduct and argue all causes in the Supreme Court and in the Court of Claims, in which the United States Government is interested; and, when the Attorney General so directs, any such cause shall be conducted and argued by the Solicitor General in any court of the United States. And, in the same way, the Solicitor General may be sent by the Attorney General to attend to the interests of the United States in any State court, or elsewhere.

Assistant Attorneys General.

3. There are two Assistant Attorneys General, whose duty it is to assist the Attorney General and Solicitor General in the performance of their duties. One of them assists in the preparation of legal opinions and in the argument of cases in the Supreme Court, and the other one attends to the interests of the Government in the Court of Claims.

Other Law Officers.

4. In addition to the offices specified above, there are several other law officers of the Executive Departments, who exercise their functions under the general supervision and control of the Attorney General. While discharging duties connected with the other departments, they really belong to the Department of Justice. They are: Assistant Attorney General for the Department of the Interior; Assistant Attorney General for the Post-office Department; Solicitor of the Treasury; Solicitor of Internal Revenue; Naval Solicitor; and Examiner of Claims in the State Department.

5. The salaries of these several officers in the Department of Justice are as follows: Solicitor General, \$7,000; Assistant Attorneys General, \$5,000; Chief Clerk, \$2,450; Assistant Attorney General for Department of the Interior, \$5,000; Assistant Attorney General for Post-office Department, \$4,000; Solicitor of the Treasury, \$4,500; Solicitor of Internal Revenue, \$4,500; Naval Solicitor, \$3,000; Examiner of Claims, \$3,500.

CHAPTER VIII.

THE POST-OFFICE DEPARTMENT.

1. The Post-office Department comes nearer to every citizen and inhabitant of the country than any of the other Executive Departments. Its usefulness and influence are felt in every corner of the land, and there is not a settlement or locality to which it does not reach out its hands filled with tidings for the people. It is presided over by the Postmaster General, and has the control and direction of all the mail and postal facilities throughout the Union, as well as those connected with foreign countries. The Postmaster General appoints all officers and employes of the department, except the Assistant Postmaster General; appoints all postmasters whose compensation does not exceed \$1,000; (those receiving a salary exceeding \$1,000 are appointed by the President;) makes postal treaties with foreign governments, with the advice and consent of the President; awards and executes contracts, and directs the management and conduct of the domestic and foreign mail service.

2. There are in this department three Assistant Postmasters General, appointed by the President and confirmed by the Senate. Their general duties are as follows :

First Assistant Postmaster General.

3. The First Assistant Postmaster General has charge of the appointment office, including four divisions, with duties as follows :

4. *Appointment Division*.—Prepares all cases for the establishment, discontinuance, and change of name or site of post-offices, and for the appointment of all postmasters, agents, postal clerks, mail messengers, and department employes, and has charge of all correspondence relative thereto.

5. *Bond Division*.—Receives and records appointments; sends out papers for postmasters and their assistants to qualify; receives, enters, and files their bonds and oaths, and issues the commissions to postmasters.

6. *Salary and Allowance Division*.—Has charge of adjusting and re-adjusting the salaries of postmasters, and the allowances for rent, fuel, lights, clerk hire, and other expenditures.

7. *Free Delivery Division*.—Prepares all cases for the inauguration of the system in cities, has charge of the appointment of letter-carriers, and has the general supervision of the whole system.

8. *Blank Agency Division*.—Sends out the blanks, wrapping paper, twine, letter balances, and cancelling stamps to offices entitled to receive them.

Second Assistant Postmaster General.

9. The Second Assistant Postmaster General has charge of the contract office and mail equipments. His office has three divisions, with duties as follows :

10. *Contract Division*.—Has charge of all matters connected with placing the mails under contract, embracing all correspondence and proceedings regarding the frequency of trips, mode of conveyance, time

of departure and arrival on all waters, course of the mails between different sections of the country, points of mail distribution, and regulations for the government of the domestic mail service. It prepares the advertisements for mail proposals, receives the bids, and has charge of the annual and occasional mail lettings, and the adjustment and execution of the contracts. All applications for the establishment or alteration of mail arrangements and for mail messengers should be sent to this division. All claims should be submitted to it for transportation service not under contract. From it all postmasters at the end of routes receive the statement of mail arrangements prescribed for the respective routes. It reports weekly to the sixth auditor of the treasury all contracts executed, and all orders affecting the accounts for mail transportation; prepares the statistical exhibits of the mail service, and the reports to Congress of the mail lettings, giving a statement of each bid; also of the contracts made, the new service started, the curtailments ordered, and the additional allowances granted within the year.

11. *Inspection Division*.—Receives and examines the registers of the arrivals and departures of the mails, certificates of the service of route agents, and reports of mail failures; notes the delinquencies of contractors, and prepares cases thereon for the action of the postmaster general; furnishes blanks for mail registers, reports of mail failures, and other duties necessary to secure a faithful and exact performance of all mail service.

12. *Mail Equipment Division*.—Issues all mail locks and keys, mail pouches and sacks, and has charge of the construction of mail-bag catchers.

Third Assistant Postmaster General.

13. The Third Assistant Postmaster General has charge of the finances of the departments. His office has four divisions.

14. *Division of Finance*.—Issues drafts and warrants in payment of balances reported by the sixth auditor to be due to mail contractors or other persons; superintends the collection of revenue at depository, draft, and depositing offices, and the accounts between the department and the treasurer and assistant treasurers, and special designated depositories of the United States. It receives all accounts, monthly or quarterly, of the depository and draft offices, and certificates of deposit from depositing offices.

15. *Division of Postage Stamps and Stamped Envelopes*.—Has the issuing of postage stamps, stamped envelopes, newspaper wrappers, and postal cards; also the supplying of postmasters with envelopes for their official use, and registered-package envelopes and seals.

16. *Division of Registered Letters*.—Has the duty of preparing instructions for the guidance of postmasters relative to registered letters, and all correspondence connected therewith; also the compilation of the statistics relative thereto.

17. *Division of Dead Letters*.—Examines and returns to the writers dead letters, and conducts the correspondents relating thereto.

The Superintendent of Foreign Mails.

18. Has charge of all foreign postal arrangements and the supervision of the ocean mail steamship service.

The Money-Order System.

19. Is under the general supervision of a superintendent, who directs the postal money-order system throughout the United States, and has charge of the international money-order correspondence with foreign countries.

The principal officers employed in the Post-office Department receive the following annual salaries: Assistant Postmasters-General, \$4,000;

superintendent of foreign mails, \$3,000; superintendent of money order system, \$3,500; chief clerk, \$2,200; topographer, \$2,500; general superintendent railway mail service, \$3,500.

Classes of Post-offices, Salaries of Postmasters, and how the Salaries are Fixed.

20. Post-offices are arranged in four classes, designated as first class, second class, third class, fourth class.

The first class includes all offices in which the gross annual receipts are forty thousand dollars and upwards.

The second class includes all offices in which the gross receipts exceed eight thousand dollars, and do not exceed forty thousand dollars.

The third class includes all offices in which the gross receipts exceed one thousand nine hundred dollars, and do not exceed eight thousand dollars.

The fourth class includes all offices in which the gross receipts do not exceed one thousand nine hundred dollars.

Postmasters of first, second, and third class offices receive annual salaries, payable quarterly, fixed by the Postmaster General from their quarterly returns sent into the Post-office Department, each adjustment of salary to be based on the four quarterly returns sent in immediately preceding the date of the adjustment. The adjustment of salary is made yearly, and takes effect on the first day of the quarter next succeeding the date of adjustment.

The salaries of postmasters of first class offices are as follows:

Gross receipts, \$40,000 and not exceeding	\$45,000,	\$3,000
do. 45,000 do. do.	60,000,	3,100
do. 60,000 do. do.	80,000,	3,200
do. 80,000 do. do.	110,000,	3,300
do. 110,000 do. do.	150,000,	3,400
do. 150,000 do. do.	200,000,	3,500
do. 200,000 do. do.	260,000,	3,600
do. 260,000 do. do.	330,000,	3,700
do. 330,000 do. do.	400,000,	3,800
do. 400,000 do. do.	450,000,	3,900
do. 450,000 do. do.	500,000,	4,000
do. 500,000 do. do.	600,000,	5,000
do. 600,000 and upwards,		6,000

The salaries of postmasters of the second class are as follows:

Gross receipts, \$8,000 and not exceeding	\$9,000,	\$2,000
do. 9,000 do. do.	10,000,	2,100
do. 10,000 do. do.	11,000,	2,200
do. 11,000 do. do.	13,000,	2,300
do. 13,000 do. do.	16,000,	2,400
do. 16,000 do. do.	20,000,	2,500
do. 20,000 do. do.	24,000,	2,600
do. 24,000 do. do.	30,000,	2,700
do. 30,000 do. do.	35,000,	2,800
do. 35,000 do. do.	40,000,	2,900

The salaries of postmasters of the third class are as follows:

Gross receipts, \$1,900 and not exceeding	\$2,100,	\$1,000
do. 2,100 do. do.	2,400,	1,100
do. 2,400 do. do.	2,700,	1,200
do. 2,700 do. do.	3,000,	1,300
do. 3,000 do. do.	3,500,	1,400
do. 3,500 do. do.	4,200,	1,500
do. 4,200 do. do.	5,000,	1,600
do. 5,000 do. do.	6,000,	1,700
do. 6,000 do. do.	7,000,	1,800
do. 7,000 do. do.	8,000,	1,900

The salaries of postmasters of the fourth class are based on the amount of box rent collected by them, and the amount of postage stamps, official stamps, stamped envelopes, postal cards, and newspaper and periodical stamps cancelled on matter actually mailed at their offices, and on waste paper, dead newspapers, printed matter, and twine sold by them, at the following rates: On the first \$50, or less, per quarter, one hundred per cent.; on the next \$100, or less, per quarter, sixty per cent.; on the next \$200, or less, per quarter, fifty per cent.; and on all the balance, forty per cent. When the gross receipts of one of these offices reaches \$1,900, it is placed in the second class, and the postmaster receives a fixed salary.

The salary of the postmaster at Washington, D. C., is fixed at \$5,000. In no case can the salary of any postmaster exceed \$6,000, except in the city of New York, where his salary is fixed at \$8,000.

Clerks in post-offices requiring them are paid by the Post-office Department such salaries as are allowed by law; as are also letter-carriers in cities where the free-delivery system is established.

CHAPTER IX.

THE NAVY DEPARTMENT.

1. The Secretary of the Navy is the head of this department. He performs such duties relating thereto as the President of the United States, who is commander-in-chief, may direct, or as may be imposed upon him by Congress. He has the general superintendence of construction, manning, armament, equipment, and employment of all vessels of war, and consequently the control, through subordinate officers, of all navy-yards.

He must, from time to time, cause to be collected and transmitted to him at the seat of government all flags, standards, and colors taken from the enemies of the United States by the navy.

He makes four annual reports to Congress: First, relative to the appropriations for the department, and how expended; second, relative to contracts for supplies; third, relative to expenditures for wages, stores and materials; and fourth, relative to vessels and materials sold.

2. He is assisted in the routine work of his department by a chief clerk and such other clerks and employes as are necessary, and by nine chiefs of bureaus. These chiefs of bureaus are officers of the United States navy, and form part of the regular naval establishment. The work assigned to them respectively is as follows:

3. *Bureau of Yards and Docks.*—Has charge of the navy-yards and naval stations, their construction and repair, and the purchase of timber and other material therefor.

4. *Bureau of Navigation.*—Supplies vessels of war with maps, charts, chronometers, barometers, flags, signal lights, glasses, and stationery; has charge of the publication of charts, the nautical almanac, and surveys; also, the naval observatory and hydrographic office at Washington are under its direction.

5. *Bureau of Ordnance.*—Has charge of the manufacture of naval ordnance and ammunition; the armament of vessels of war; the arsenals and magazines; the trials and tests of ordnance, small arms, and ammunition; also, of the torpedo service, torpedo station at Newport, and experimental battery at Annapolis.

6. *Bureau of Provisions and Clothing.*—Has charge of all contracts for the supply of provisions, water for cooking and drinking purposes, clothing, and small stores for the use of the navy.

7. *Bureau of Medicine and Surgery.*—Superintends everything relating to medicine, medical stores, surgical instruments, and hospital supplies for the treatment of the sick and wounded of the navy and marine corps.

8. *Bureau of Construction and Repair.*—Has charge of dry-docks, and of all vessels undergoing repairs; the designing, building, and fitting-out of vessels, and the armor of iron-clads.

9. *Bureau of Equipment and Recruiting.*—Is in charge of the equipment of all vessels of war, and the supply of their sails, rigging, anchors, and fuel; and of the recruiting of sailors of the various grades.

10. *The Engineer-in-Chief.*—Directs the assigning, fitting-out, running, and repairing of the steam-marine engines, boilers, and appurtenances used on vessels of war, and the workshops in the navy-yards where they are made and repaired.

11. *The Judge Advocate General.*—Receives, revises, and records the proceedings of courts-martial, courts of inquiry, boards for the exami-

nation of officers for retirement and promotion in the naval service; and furnishes reports and opinions on such questions of law and other matters as may be referred to him by the Secretary of the Navy.

12. The salary of the chief clerk of the Navy Department is \$2,500, and of the chief clerks of the several bureaus, \$1,800. The salary of the chiefs of the several bureaus is determined by their rank and standing in the navy. The civil engineer in the bureau of yards and docks receives \$3,000 a year.

Organization of the Navy.

13. The regular active list of line officers of the navy consists of one admiral, one vice admiral, ten rear admirals, twenty-five commodores, fifty captains, ninety commanders, eighty lieutenant commanders, two hundred and eighty lieutenants, one hundred masters, and one hundred ensigns. The vice admiral ranks with the lieutenant general of the army, rear admirals with major generals, commodores with brigadier generals, captains with colonels, commanders with lieutenant colonels, lieutenant commanders with majors, lieutenants with captains, masters with first lieutenants, and ensigns with second lieutenants.

The medical corps of the navy consists of fifteen medical directors, fifteen medical inspectors, fifty surgeons, and one hundred assistant surgeons.

14. The pay corps consists of thirteen pay directors, thirteen pay inspectors, fifty paymasters, thirty passed assistant paymasters, and twenty assistant paymasters.

15. The engineer corps consists of seventy chief engineers, one hundred first assistant engineers, and one hundred second assistant engineers.

16. There are in the navy twenty-four chaplains, for service on the several public armed vessels. There may be twelve professors of mathematics appointed, for duty at the naval academy, naval observatory, and on board ships of war, in instructing midshipmen.

17. All appointments, except those of midshipmen from the naval academy, and regular promotions according to law, are made by the President, and confirmed by the Senate.

18. Officers of the navy may be placed on the retired list by the President, or on their own application, on attaining a certain age, or for disability, under the regulations laid down in the law, in much the same manner as officers of the army.

Pay of Officers and Enlisted Men.

19. Admiral, \$13,000; vice admiral, at sea, \$9,000, on shore, \$8,000; rear admirals, at sea, \$6,000, on shore, 4,000; on leave or waiting orders, \$3,000; captains, \$4,500, \$3,500, \$2,800 as they may be at sea, on shore, or awaiting orders; commanders, \$3,500, \$3,000, \$2,300; lieutenant commanders, during first four years after date of commission, \$2,800, \$2,400, \$2,000, and after four years from such date, \$3,000, \$2,600, \$2,200; lieutenants, first five years after date of commission, \$2,400, \$2,000, \$1,600, and after five years from such date, \$2,600, \$2,200, \$1,800; masters, during first five years after date of commission, \$1,800, \$1,500, \$1,200, and after five years from such date, \$2,000, \$1,700, \$1,400; ensigns, during first five years after date of commission, \$1,200, \$1,000, \$800, and after five years from such date, \$1,400, \$1,200, \$1,000; midshipmen, \$1,000, \$800, \$600.

The pay of surgeons, paymasters, and chief engineers ranges from \$2,000 up to \$4,200, according to length of service and place of employment; passed assistant surgeons, passed assistant paymasters, and first assistant engineers, from \$1,500 to \$2,200; assistant surgeons, assistant paymasters and second assistant engineers, from \$1,000 to \$1,900; chaplains get from \$1,600 to \$2,800; boatswains, gunners, carpenters, and sail-makers, who rank as non-commissioned officers, get from \$700 to \$1,800, according to length of service and place of employment.

The pay of petty officers, and the pay and bounty of enlisted and ordinary seamen, firemen, &c., is fixed by the President, in accordance with the appropriations made by Congress from year to year.

Not more than seven thousand five hundred men, of all grades, can be enlisted in the navy at one time. The term of enlistment is five years.

Marine Corps.

20. There is attached to the navy a marine corps, consisting of one commandant, with the rank of brigadier general, one colonel, two lieutenant colonels, four majors, one adjutant and inspector, one paymaster, one quartermaster, two assistant quartermasters, twenty captains, thirty first lieutenants, thirty second lieutenants, one sergeant major, one quartermaster sergeant, one drum major, one principal musician, two hundred sergeants, two hundred and twenty corporals, thirty musicians for a band, (this is the fine marine band at Washington,) sixty drummers, sixty fifers, and twenty-five hundred privates. This corps is for service on the armed vessels of the navy.

21. The adjutant, paymaster, and quartermaster of the marine corps have the rank of major, and the assistant quartermasters the rank of captain. The officers and enlisted men receive the same pay and allowances as those of the infantry line of the army.

22. The officers and enlisted men of the navy are governed by articles adopted by Congress, as are also the cadets at the naval academy.

The Naval Academy.

23. The naval academy is located at Annapolis, Maryland. There is allowed at this academy one cadet-midshipman for each Congressional district in the United States, one for each Territory and the District of Columbia, and ten annually at large, to serve as such for six years. They are appointed in the same manner as cadets to the military academy, after an examination as to their physical and educational qualifications. They must be between fourteen and eighteen years of age at the time of appointment, and must be actual residents of the district for which they are appointed.

24. Cadets passing successfully the graduating examination shall receive appointments as midshipmen in the navy, and take rank according to their class standing at date of graduation.

25. The Secretary of the Navy may appoint fifty cadets of engineers to the naval academy, in addition to the prescribed number of cadet-midshipmen, for service in the engineer corps. Their course shall be four years, including two years on naval steamers.

CHAPTER X.

DEPARTMENT OF THE INTERIOR.

1. The head of this department is the Secretary of the Interior, who is charged with the public business relating to patents for inventions, pension and bounty lands, the public lands, including mines, the Indians, education, labor, railroads, the public surveys, the census, when directed by law, the custody and distribution of public documents, and certain eleemosynary institutions in the District of Columbia. He also exercises certain powers and duties relative to the Territories, performed by the Secretary of State prior to March, 1873.

2. The Assistant Secretary discharges such duties as are directed by law, or prescribed by the Secretary, and, in the absence of the Secretary, discharges his duties, and acts as the head of the department.

Besides these, the chief officers of the department are: The Commissioner of Patents, Commissioner of Pensions, Commissioner of Public Lands, Commissioner of Indian Affairs, Commissioner of Education, Commissioner of Labor, Commissioner of Railroads, Director of the Geological Survey, and Superintendent of the Census.

Commissioner of Patents.

3. The Commissioner of Patents is the head of the Patent Office, and is charged with the administration of the patent laws, and has the supervision of all matters relating to the issuing of letters-patent for new and useful discoveries, inventions, and improvements. He is assisted in the discharge of his duties by an assistant commissioner, three examiners-in-chief, an examiner of interferences, an examiner of trade marks, twenty-five principal examiners, and a large number of assistant examiners and copyists.

Commissioner of Pensions.

4. The Commissioner of Pensions supervises the examination and adjudication of all claims arising under the laws passed by Congress granting bounty land or pensions on account of service in the army or navy of the United States during the Revolutionary war, and all subsequent wars in which the United States has been engaged. He is aided by two deputy commissioners, a medical referee, and a large number of clerks.

The General Land Office.

5. The Commissioner of Public Lands has charge of the survey, management, and sale of the public domain, and the titles therefor, whether derived from confirmation of grants made by former governments, by sales, donations, or grants for schools, railroads, military bounties, or public improvements.

Commissioner of Indian Affairs.

6. The Commissioner of Indian Affairs has charge of all matters pertaining to the several tribes of Indians in the States and Territories, under the laws passed by Congress, and the treaties and compacts made

with the Indians themselves. He issues instructions to, and receives reports from, agents, special agents, and traders; superintends the purchase, transportation, and distribution of presents and annuities, and reports annually the relations of the Government with each tribe.

Commissioner of Education.

7. His duties are to collect such statistics and facts as will show the condition and progress of education in the several States and Territories, and to diffuse such information concerning the organization and management of schools and school systems and methods of teaching as will aid the people of the United States in the establishment and maintenance of efficient school systems, and otherwise promote the cause of education throughout the country.

Bureau of Labor Statistics.

8. Has charge of the collection and publication of statistics and information concerning labor and labor interests, with a view to ascertaining the true relations between labor and capital, in their influence upon the social, educational, and industrial welfare of all classes of laboring people, to afford correct data on which to base measure and suggestions for their advantage and improvement.

Commissioner on Railroads.

9. He is charged with prescribing a system of reports to be rendered to him by the railroad companies whose roads are, in whole or a part, west, north, or south of the Missouri river, and to which the United States has granted any loan of credit or subsidy in lands or bonds; to examine the books, accounts, and property of said companies; to see that the laws relating to them are enforced, and to assist the Government directors of any of said railroad companies in all matters coming under their cognizance whenever they may request such assistance.

Geological Survey.

10. The Director of the Geological Survey has charge of the classification of the public lands and the examination of the geological structure, mineral resources, and products of the national domain.

Superintendent of the Census.

11. This officer has the supervision and direction of the taking of the census of the United States every tenth year, and the subsequent arrangement, compilation, and publication of the statistics thereby collected.

Public Documents.

12. The Superintendent of Public Documents is charged with the duty of collecting, arranging, preserving, and distributing all public documents and publications directed by law to be printed or purchased for the use of the Government, except such as are exclusively for the use of Congress or the Executive Departments, and the compiling and supervising of the Biennial Register. This register is called the "Blue Book," and contains, besides other information, a complete lists of "all the officers, clerks, employes, and agents, civil, military, and naval in the United States, including cadets and midshipmen, which lists shall exhibit the amount of compensation, pay, and emoluments allowed to each, the State or country in which he was born, the State or Territory from which he was appointed to office, and where employed."

This register is published as soon as practicable after the last day of September in each year in which a new Congress assembles, (every odd-numbered year,) and is complete up to that date.

13. The salaries received by the several principal officers in the Department of the Interior are as follows: Assistant Secretary of the Interior, \$4,000; chief clerk, \$2,500; commissioner of patents, \$4,500; assistant commissioner of patents, \$3,000; examiners-in-chief, \$3,000; examiners of trade-marks and principal examiners, \$2,400; commissioner of pensions, \$5,000; deputy commissioner of pensions, \$3,600; pension agents, \$1,000; commissioner of public lands, \$4,000; recorder of the land office, \$2,200; commissioner of Indian affairs, \$4,000; commissioner of education, \$3,000; commissioner of labor, \$3,600; commissioner of railroads, \$4,000; director of the geological survey, \$6,000; superintendent of the census, \$5,000; architect of the United States capitol building and grounds, \$4,500; Governors of the Territories, \$2,600; secretary of the Territories, \$1,800; registers of United States land offices, and receivers of public moneys at land offices, not exceeding \$3,000 a year.

The Territories.

14. Besides the several States of the Union, there are nine Territories. These are organized under various acts of Congress with governments similar to those of the States, but the executive officers are appointed by the President of the United States. Each Territory has a Governor, Secretary of the Territory, and three Supreme Judges appointed by the President. The Legislature of each Territory is composed of a Senate and House of Representatives, elected by the people in the several counties. County and township officers are elected or appointed, as the laws of the respective Territories, passed by the Legislature and approved by the Governor, provide. From those Territories, new States are admitted into the Union when they have population enough to entitle them to one Representative in Congress. Before any Territory can be admitted as a State, it must make application therefor to Congress, and have adopted a constitution and system of government republican in form. States are admitted by act of Congress, approved by the President.

CHAPTER XI.

DEPARTMENT OF AGRICULTURE.

1. The head of this department is the Commissioner of Agriculture. His duty is to collect and diffuse useful information on subjects connected with agriculture. He is required to collect and preserve in his office all information obtainable concerning agriculture by means of books, and correspondence, and by practical and scientific experiments, the collection of statistics, and other appropriate means; to collect new and valuable seeds and plants; to learn, by actual cultivation, such of them as may be useful and adapted to the country; and to propagate such as may be worthy of propagation, and to distribute them among agriculturists in the different sections of the Union. This work is done through different officers and bureaus, or divisions, in his department, as follows:

2. *The statistician* collects reliable information as to the condition and prospects of the cereal, cotton, and other crops, by means of four correspondents in each county of every State. This information is gathered at stated periods of each month, is carefully considered, estimated, tabulated, and published.

3. *The entomologist* obtains information regarding insects injurious to vegetation; investigates the character of insects sent him, to point out their modes of infliction and the means by which their depredations may be avoided; he also arranges specimens of their injuries and nest architecture.

4. *The botanist* receives botanical contributions, and, after making desirable selections for the national herbarium, distributes the duplicate plants among foreign and domestic societies, institutions of learning, and botanists; he answers all inquiries of botanico-agricultural character.

5. *The chemist* makes analyses of natural fertilizers, vegetable products, and other materials which pertain to the interests of agriculture. Applications are constantly being received from all portions of the country for analyses of soils, minerals, liquids, and manures.

6. *The microscopist* makes original investigations, mostly relating to the habits of parasitic fungoid plants, which are frequently found on living plants and animals, producing sickly growth, and, in many cases, premature death.

7. *The Propagating Garden*.—Here large numbers of exotic, utilizable, and economic plants are propagated and distributed. The orange family is particularly valuable, and the best commercial varieties are propagated and distributed to the widest possible extent.

8. *The Seed Division*.—Through this seeds are purchased in this and foreign countries of reliable firms, whose guaranty of good quality and genuineness cannot be questioned. After being received, they are packed and distributed to applicants in all parts of the country.

9. *The Library*.—Through this exchanges of publications are made, by which the department receives reports of the leading agricultural, pomological, and meteorological societies of the world.

10. *Salaries*.—Commissioner of Agriculture, \$4,500; chief clerk, \$2,200; statistician, entomologist, chemist, veterinarian, \$2,500; botanist and microscopist, \$1,800.

11. The Department of Agriculture is really a bureau in the Department of the Interior, the same as the pension office, general land office, &c, but owing to its importance and the general interest attaching to it we make it a separate chapter. As we write this we learn that the lower House of Congress has passed a bill making it an executive department, and the commissioner a cabinet officer.

12. The following is the approximate number of persons employed in the several executive departments at Washington, embracing deputies, auditors, assistants, chief clerks, chiefs of divisions, clerks, (first, second, third, and fourth class,) copyists, examiners, stenographers, book-keepers, accountants, copyists, messengers, watchmen, firemen, laborers, &c., &c., the salaries running from \$3,500 down to \$240 a year :

State Department,	66
Treasury "	3,500
War "	1,600
Navy "	350
Post-office "	1,200

And about 5,000 persons throughout the country as postal clerks, route agents, messengers, &c.

Interior Department,	3,700
Department of Justice,	60

The number of employes in the Government Printing Office is about 2,500, paid by the day or by the piece.

JUDICIAL DEPARTMENT.

CHAPTER XII.

CONSTITUTIONAL PROVISIONS.

1. The judicial power of the United States is vested in a supreme court and such inferior courts as Congress may, from time to time, ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall at stated times receive for their services a compensation which shall not be diminished during their continuance in office.

The judicial power shall extend to all cases in law and equity arising under the Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, or other public ministers or consuls; to controversies to which the United States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State claiming lands under grants of different States; and between a State or the citizens thereof, and foreign States, citizens, or subjects.

In all cases affecting ambassadors, other public ministers, and consuls, and those in which a State is a party, the Supreme Court shall have original jurisdiction. In all other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be in the State where the said crime shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

Treason against the United States shall consist only in levying war against them, or adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

No person shall be held to answer for a capital or other infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger, nor shall any person be subject, for the same offense, to be put twice in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself; nor to be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

In all criminal prosecutions, the accused shall enjoy the right to a speedy trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

In suits at common law, when the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise reexamined in any court of the United States than according to the rules of the common law.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments be inflicted.

The judicial power of the United States shall not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.

The judges in every State shall be bound by the provisions of the Constitution of the United States, anything in the Constitution or laws of any State to the contrary notwithstanding.

Under these provisions of the Constitution, the present judicial system of the United States has been built up under successive acts of Congress. The system embraces a

2. *Supreme Court*, which sits at the seat of Government, exercising appellate and supervisory jurisdiction over the other tribunals, and in certain cases over the courts of last resort of the several States, but having original jurisdiction in certain controversies to which States, public ministers, and the like are parties.

3. *Circuit Courts*, where the States are grouped together in circuits, in each of which is held circuit courts, exercising an original jurisdiction at law and in equity, and an appellate jurisdiction over the district courts.

4. *District Courts*, where each State forms one or more judicial districts, in each of which is a district court with jurisdiction in admiralty and maritime cases; seizures under laws of impost, navigation, and trade; suits for penalties and forfeitures under laws of Congress; crimes and offenses not capital; suits at common law where the United States sue, and suits against consuls and vice consuls for crimes not capital.

5. Courts of the District of Columbia, and the Territories, and the court of claims.

CHAPTER XIII. THE SUPREME COURT.

Organization and Terms.

1. The Supreme Court of the United States consists of a chief justice and eight associate justices appointed by the President and confirmed by the Senate. The salary of the chief justice is \$10,500, and of the associate justices \$10,000 a year, to be paid monthly. The associate justices have precedence according to the dates of their commissions, but when the commissions of two or more of them bear the same date, then according to their ages. In case of a vacancy in the office of chief justice, or of his inability to perform the duties, they shall devolve on the associate justice first in precedence until the disability is removed, or a chief justice is appointed.

The court appoints a clerk, a marshal, and a reporter of its decisions. The clerk has the custody of the seal, and records, and papers of the court, and is assisted in the discharge of his duties by one or more deputies appointed by the court at his request. The clerk is paid by fees, and his emoluments are said to be \$25,000 a year.

The marshal serves and executes all process and orders of the court, or any justice, made in pursuance of law, and has charge of all property of the United States used by the court or its members, and, with the approval of the chief justice, may appoint messengers to attend the court. He receives an annual salary of \$3,500.

The reporter must cause the decisions of the court to be published within eight months after they are rendered. He receives an annual salary of \$2,500, and an additional sum of \$1,500 for each year in which, by direction of the court, he causes a second volume of its decisions to be published. These decisions are sold at a price not exceeding five dollars per volume.

The court holds one term annually, commencing on the first Monday in October, and such adjourned or special terms as it deems proper.

Jurisdiction.

2. The Supreme Court has exclusive jurisdiction of all civil cases where a State is a party, except between a State and its citizens, or between a State and citizens of another State, or aliens, in which case it has original but not exclusive jurisdiction. It has exclusive jurisdiction in suits against ambassadors, or other public ministers or their domestics, consistent with the law of nations; and original but not exclusive jurisdiction in suits by ambassadors or other public ministers, or in which a consul or vice consul is a party.

It has power to issue writs of prohibition in the district courts when they are proceeding as courts of admiralty or maritime jurisdiction; and writs of mandamus to any federal court, or any officer of the United States, when any State, ambassador, or other public minister, or consul or vice consul is a party.

The trial of issues of fact in the Supreme Court in suits against citizens of the United States must be by jury.

The Supreme Court has appellate jurisdiction, as follows:

By writ of error from final judgments of circuit courts, or district courts acting as circuit courts, when the matter in dispute exceeds two thousand dollars;

By writ of error or appeal, as the case may be, in cases heard in any circuit court held by a justice of the Supreme Court and a circuit judge or district judge, or by a circuit judge and district judge, where the judges are divided in their opinion on any question occurring on the trial, (this is the only method of bringing up a criminal case for review) :

By an appeal from a district court in a prize case, where the matter in dispute exceeds \$2,000, or where the judge certifies that it involves a question of general importance ;

By writ of error from the highest court of a State, where is drawn in question the validity of a treaty, or statute of, or an authority exercised under, the United States, and the decision is against their validity ; or where is drawn in question the validity of a statute of, or an authority exercised under, any State, on the ground of their being repugnant to the Constitution, treaties, or laws of the United States, and the decision is in favor of their validity ; or when any title, right, privilege, or immunity is claimed under the Constitution, treaty, or statute of, or commission held, or authority exercised under, the United States, and the decision is against the title, right, privilege, or immunity, specially set up or claimed by either party under such Constitution, treaty, statute, commission, or authority ;

And by writ of error, or appeal, in such other cases as are specially provided by law.

A writ of error or appeal, as the case may be, also lies to the Supreme Court from the Supreme Courts of the Territories, the Supreme Court of the District of Columbia, and the Court of Claims.

Cases on writ of error to revise the judgment of a State court have precedence in the Supreme Court of all cases to which the Government is not a party, excepting only such cases as the court in its discretion may decide to be of public importance.

CHAPTER XIV.

CIRCUIT COURTS.

Organization.

1. The judicial districts of the United States are divided into nine circuits by Congress, as nearly equal in judicial labor as practicable. The chief justice and associate justices of the Supreme Court are allotted among these circuits, by an order of the court, one justice to each circuit. The justice allotted to a circuit is designated the "circuit justice" thereof.

For each circuit there is appointed by the President, and confirmed by the Senate, a circuit judge, with the same power and jurisdiction as the circuit justice; but who must reside within the circuit. He receives a salary of \$6,000, payable quarterly.

Circuit courts are held in each district of the several circuits, and are called the circuit courts for the districts for which they are held. Each circuit justice must attend at least one term of the circuit court in each district of the circuit to which he is allotted, during every period of two years.

Circuit courts may be held by the circuit justice, by the circuit judge, or by the district judge of the district, sitting alone, or by any two of them, or by all three together. Cases may be heard and tried by each of the judges holding a circuit court, sitting apart, by direction of the presiding justice or judge, who shall designate the business to be done by each. Circuit courts may be held at the same time in the different districts of the same circuit.

A district judge sitting in a circuit court cannot have a voice in giving a decision in any case of appeal or error from his own decision, but may assign his reasons for the decision.

When all the judges of any circuit court are interested in any cause, or have been counsel therein, the cause may be removed to the next adjoining circuit for trial. And for proper reasons, the judge of one circuit may hold court in another.

If by death, resignation, or otherwise, no justice is allotted to a circuit, the Chief Justice of the Supreme Court may request any circuit justice to hold court in said circuit.

A clerk shall be appointed for each circuit court, by the circuit judge thereof, except in cases where the law provides that the same person shall act as clerk of the circuit court and district court, when they shall be appointed by the circuit judge and district judges, as the law specially directs.

Jurisdiction.

2. The circuit court has original jurisdiction in the following cases: Suits in which an alien is a party, or between citizens of different States; suits in equity by the United States, involving more than \$500; suits at common law by the United States, its officers, &c.; suits under duty laws, (except admiralty causes, and seizures, and suits for penalties and forfeitures,) internal revenue or postal laws; suits for penalties under laws regulating carriage of passengers in merchant ships; proceedings against property seized because employed in insurrection; suits under slave-trade laws; certain suits upon assignment of debentures for draw-

back; suits under the patent or copyright laws; suits by or against banking associations; suits by banking associations to enjoin comp-troller of the currency or receiver; suits for injuries done under revenue or election laws; certain suits to recover possession of an office; certain proceedings for removal of officers; suits for pecuniary forfeitures under laws to enforce the elective franchise; suits on account of injuries by conspirators in certain cases; or against persons knowing to such conspiracies; suits to enforce civil rights laws; certain proceedings for punishment of officers and owners of vessels through whose negligence life is lost; and crimes cognizable under the laws of the United States, except when otherwise specially provided; and concurrent jurisdiction with the district courts of crimes and offenses cognizable therein.

An appeal lies to the circuit court from the district court in all cases of equity or admiralty jurisdiction, except prize cases, when the matter in dispute exceeds the sum of fifty dollars; and writs of error may be taken to the circuit court from the district court in all civil actions when the sum in dispute exceeds fifty dollars.

A circuit court may affirm, modify, or reverse any judgment, decree, or order of a district court brought before it for review, or may direct such judgment, decree, or order to be rendered, or such further proceedings to be had by the district court, as the justice of the case may require. All appeals or writs of error must be taken within one year.

Cases in which it is improper for the district judge to sit, either civil or criminal, on account of interest, relationship, or other cause, may be removed into the circuit court and tried there.

Certain suits in the State courts may be removed into the circuit court for trial, under limitations fixed by law, as where one of the parties is an alien, or the parties are citizens of different States, or defendant is a corporation organized under the laws of the United States, or defendant is denied any civil rights by the State, or is a revenue officer, &c.

Terms and Places for Holding Sessions.

3. The terms and places for holding the circuit courts are fixed by law for each district. In most districts, but two terms are held each year, but in some there are three, in others four, and in a few districts even more than this. In the eastern district of Pennsylvania, two terms are held yearly, at Philadelphia, commencing on the first Mondays of April and October. In the western district of Pennsylvania, six terms are held, as follows: At Erie, second Monday of January and third Monday of July; at Pittsburgh, on the second Monday of May and third Monday of November; at Williamsport, on the third Mondays of June and September.

Provision is made for holding special sessions when necessary, especially for the trial of criminal cases.

The trial of issues of fact in the circuit courts is by jury, except in cases of equity and admiralty, and maritime jurisdiction; but issues of fact in civil cases may be tried and determined by the court, without the intervention of a jury, whenever the parties or their attorneys shall so agree in writing.

CHAPTER XV.

DISTRICT COURTS.

Organization.

1. The United States is divided into judicial districts by Congress. Twenty-one of the States form one district each, and the others are divided into two or more districts each. Pennsylvania is formed into two districts, the eastern and western. In each district (except in a few cases where the same judge is appointed for two or more districts) a district judge is appointed by the President and confirmed by the Senate. They must reside within the district for which they are appointed, and receive an annual salary of \$3,500, payable quarterly. (One district judge receives \$5,000 a year, one \$4,500, and a few others \$4,000. Those for Pennsylvania receive \$4,000.)

One or more clerks are appointed in each district by the district judge to have charge of the seal, records, and papers belonging to the court. Deputy clerks may also be appointed by the judges, as necessity requires. The records of the court are kept at the place where the court holds its sessions; and, in districts where the court sits at more than one place, at the point designated by the judge.

Jurisdiction.

2. The district courts have jurisdiction in the following cases: Crimes not capital, piracy, (when no circuit court is held in the district,) penalties and forfeitures, suits by the United States or its officers, lien on land for internal-revenue tax, forfeitures or damages arising under the laws relative to debts due by or to the United States, civil causes of admiralty and maritime jurisdiction and seizures, suits for condemnation of property used to promote insurrection, certain suits upon assignments of debentures for drawback, infringements on the civil-rights laws, infringement of rights secured by the Constitution or laws of the United States, certain suits to recover an office, certain proceedings by *quo warranto* to remove from office, suits by or against national banks, suits by aliens for torts contrary to the law of nations or to a treaty of the United States, suits against consuls or vice consuls, except for certain offenses, bankruptcy.

The trial of issues of fact in the district courts, in all cases except cases in equity and cases of admiralty and maritime jurisdiction, and except as otherwise provided in bankruptcy, must be by jury; but in certain admiralty and maritime cases, either party may demand and secure a jury trial.

In cases of necessity, the judge of one district may be sent by his circuit justice or circuit judge to hold court in another district; either on account of the disability of such judge or the accumulation or urgency of business in the district.

General Provisions.

3. The courts of the United States have exclusive jurisdiction in the following cases:

First.—Of all offenses cognizable under the authority of the United States.

Second.—Of all suits for penalties and forfeitures incurred under the laws of the United States.

Third.—Of all civil causes of admiralty and maritime jurisdiction; saving to suitors, in all cases, the right of a common law remedy, when the common law is competent to give it.

Fourth.—Of all seizures under the laws of the United States, on land and on waters not within admiralty and maritime jurisdiction.

Fifth.—Of all cases arising under the patent-right and copy-right laws of the United States.

Sixth.—Of all matters and proceedings in bankruptcy.

Seventh.—Of all controversies of a civil nature, when a State is a party, except between a State and its citizens, or between a State and citizens of another State or aliens.

Eighth.—Of all suits or proceedings against ambassadors, or other public ministers, or their domestics or domestic servants, or against consuls or vice consuls.

4. Following is the oath prescribed for justices of the Supreme Court, circuit judges, and district judges: "I, ———, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as ———, according to the best of my ability and understanding, agreeably to the Constitution and laws of the United States. So help me God."

5. If any judge of any United States court resigns after having held his commission as such for ten years, and having attained the age of seventy years, he shall receive during his natural life the same salary he was receiving at the date of his resignation.

District Attorneys, Marshals, and Jurors.

6. A district attorney is appointed by the President in each judicial district (except where the law provides that one district attorney shall act for two districts) for a term of four years, whose duty it is to prosecute in his district, both in the circuit court and district court, all delinquents for crimes and offenses under the authority of the United States, and all civil actions in which the United States is concerned; and, unless otherwise directed by the Secretary of the Treasury, to appear in behalf of the defendants in all suits or proceedings pending in his district against collectors or other revenue officers, for any official act done by them or for the recovery of any money collected by them and paid into the treasury. They are required to make certain reports, and discharge certain other duties relative to the collection of revenues. They are compensated by certain fees and a salary of \$200 a year.

The President also appoints a marshal for each judicial district (except when the same marshal acts for two districts) for a term of four years, whose duty it is to serve and execute all processes and orders issuing from the circuit and district courts of his district, and obey all directions and instructions of such courts. They are compensated by certain fees and a salary of \$200 a year.

Each marshal may appoint one or more deputies, removable at the pleasure of the circuit or district judges, and such deputies for temporary service as may be necessary. The marshal disburses all moneys appropriated by law for the payment of jurors, witnesses, &c., in the district, and receives and pays over all moneys collected by legal process issuing out of the courts of his district. Their duties are varied and important. The marshal, and his deputies, execute all processes from the district and circuit courts.

Juries and Jurors.

7. United States juries for circuit courts and district courts are of two kinds—grand and traverse. They are selected by two commis-

sioners in each judicial district, and must have the same qualifications and are subject to the same exemptions, as jurors of the highest court of law in the State in which they reside. Grand juries consist of not less than sixteen nor more than twenty-three persons; traverse juries of twelve. No person can be summoned as a juror oftener than once in two years. They are summoned by the marshal, either personally or by notice sent through the mails. They receive two dollars per day, and mileage from their homes to the place of holding the court and return, at the rate of ten cents a mile, direct.

CHAPTER XVI.

COURT OF CLAIMS, DISTRICT OF COLUMBIA, AND
THE TERRITORIES.

Court of Claims.

1. The court of claims consists of a Chief Justice and four judges, appointed by the President and confirmed by the Senate. They hold their office during good behavior, and receive an annual salary of \$4,500.

The court holds one session annually, commencing on the first Monday of December, (the day on which Congress meets,) and continuing as long as may be necessary for the prompt disposition of the business that may be brought before it. It appoints a chief clerk and assistant clerk, a bailiff, and a messenger, for the proper discharge of its duties. The chief clerk is paid \$3,000 a year, the assistant clerk \$2,000, the bailiff \$1,500, and the messenger \$800.

The court of claims has jurisdiction to hear and determine the following matters:

2. *First*.—All claims against the United States founded on any act of Congress, or regulation of an Executive Department, or on any contract with the Government, express or implied, and claims referred to it by either House of Congress.

3. *Second*.—All set-offs, counter claims, claims for damages liquidated or unliquidated, or other demand whatsoever on the part of the Government against those making claims in said court.

4. *Third*.—The claim of any paymaster, quartermaster, commissary of subsistence, or other disbursing officer of the United States, or of his administrators or executors, for relief from responsibility on account of capture or otherwise, while in the line of his duty, of government funds, vouchers, records, or papers in his charge, or for which he is responsible.

5. *Fourth*.—Of all claims for the proceeds of abandoned property, under the acts of March 12, 1863, and July 2, 1864.

The jurisdiction and method of procedure in this court are special, peculiar, and interesting. Matters are usually brought before it by petition, or by reference from Congress, one of the executive departments, or an auditing officer of the Government.

No claimant or person from or through whom a claim or right is derived, nor any one interested in any such claim, right, or title, can be a witness in supporting the claim, except at the instance of the solicitor or attorney of the United States.

All petitions and bills presented in Congress, asking or providing for the satisfaction of any private claim against the Government, founded on any law of Congress, or regulation of any executive department, or contract expressed or implied with the Government, unless otherwise ordered by the House in which presented, are sent to the Court of Claims; and favorably acted on by the court, are afterwards returned to Congress and passed as other bills.

All claims cognizable by this court are forever barred unless presented within six years from the date when they accrue, with certain limitations in cases of married women, minors, lunatics, idiots, and persons beyond the seas.

Appeals from the decisions of the court are taken to the Supreme Court of the United States,

On the first day of every regular session of Congress, the clerk of this court transmits to Congress a complete statement of all the judgments, decrees, &c., rendered by the court during the previous year, giving the amount of each one, and the name of the party in whose favor rendered. And at the end of every term of the court, he sends a copy of its decisions to the heads of the several executive departments, solicitor, comptrollers, and auditors of the Treasury, and to other officers charged with the adjustment of claims against the Government, for their information and guidance in the discharge of their duties.

Courts of the District of Columbia and of the Territories.

6. The courts of the District of Columbia and of the Territories are federal courts, organized under the authority of the General Government, and subject to laws of the United States applicable thereto. An appeal or writ of error, as the case may be, lies from the supreme court of each to the Supreme Court of the United States.

The general plan of the courts in the Territories is as follows: A supreme court is organized in each, with three judges appointed by the President; a clerk, appointed by the court, an attorney for the United States, and a marshal. The judges receive a salary of \$3,500 each, and the clerk, attorney, and marshal are compensated by fees, and, in addition, a small annual salary.

Each Territory is divided into three judicial districts, in each of which a district court is held by one of the judges of the Supreme Court, at the times and places prescribed by law. The supreme judge must reside in the district to which he is assigned.

When courts are organized in any county, they are held by the judge of the district in which the county is located.

The district courts correspond to the district courts of the United States throughout the States, and the Supreme Court to the circuit courts, very largely. Appeals and writs of error lie to the Supreme Court of the Territory from the district courts.

The supreme court of the District of Columbia, consists of a chief justice, at a salary of \$4,500, and five associate judges at a salary of \$4,000 each; a clerk, district attorney, marshal, and register of wills, all paid by fees; besides deputy clerks, deputy marshals, etc.

PART SECOND

GOVERNMENT OF PENNSYLVANIA.



LEGISLATIVE DEPARTMENT.

CHAPTER XVII.

THE GENERAL ASSEMBLY.

WHERE LEGISLATIVE POWER VESTED—NUMBER OF MEMBERS—FORMATION OF DISTRICT—SENATORIAL AND REPRESENTATIVE RATIO.

1. The legislative power of the Commonwealth is vested in a General Assembly, consisting of a Senate and House of Representatives. The Senate is composed of fifty members, and the House of Representatives of two hundred, more or less. For the purpose of electing Senators, the State is divided into fifty districts. The Representatives are apportioned among the several counties according to population.

2. The Senatorial ratio is obtained by dividing the population of the State, according to the last United States census, by fifty. Each county having one or more full ratios of population, shall have a Senator for each ratio, and an additional Senator for a surplus of population exceeding three fifths of a ratio. A county having four fifths of a ratio, but less than a full ratio, shall form a separate Senatorial district; and where each adjoining county is entitled to one or more Senators, a county may be allowed a Senator on a population exceeding half a ratio. The number of Senators cannot exceed fifty. No county or city can have more than eight Senators, nor can a county be divided in forming a Senatorial district, unless it is entitled to two or more Senators; and in such division, no ward, borough, or township can be divided. Districts composed of more than one county must be formed of compact and contiguous territory, and be as nearly equal in population as possible.

3. The Representative ratio is obtained by dividing the population of the State, according to the last United States census, by two hundred. A county having five or more ratios of population has a Representative for every full ratio. A county having less than five full ratios, has a Representative for each full ratio, and an additional one for a surplus exceeding half a ratio. Cities containing a population equal to or exceeding a full ratio, elect Representatives separately. Counties with more than a hundred thousand inhabitants, and cities electing more than four Representatives, must be divided into districts, but no such district can elect more than four Representatives.

4. The Legislature must apportion the State into Senatorial and Representative districts at its first session after each decennial census of the United States.

Qualifications, Term, and Time of Election of Senators and Representatives.

5. Senators must be twenty-four, and Representatives twenty-one, years of age; must have been citizens and inhabitants of the State four years, and inhabitants of their respective districts, one year next before their election, (unless absent on the public business of the State or the

United States,) and must reside in their districts during their term of service. Senators are elected for four, and Representatives for two years, and are always chosen in even-numbered years, as 1884, 1886, &c. Half the Senators and all the Representatives are chosen every second year. Whenever a vacancy occurs in either House, the presiding officer thereof issues a writ of election to fill the vacancy for the unexpired term, directed to the sheriff of the proper county or counties.

6. No Senator or Representative can be appointed to any civil office under the State, and no member of Congress, or other person holding any office under the State or the United States, except attorney at-law or in the militia, can be a member of the Legislature, nor is any person convicted of embezzlement, bribery, perjury, or other infamous crime, eligible to a seat in either House.

Duties, Powers, and Privileges of the Legislature and its Members.

7. At the commencement and close of each session, and at such other times as may be necessary, the Senate elects one of its members President *pro tempore*, who, in the absence or disability of the Lieutenant Governor, performs the duties of that officer. The House of Representatives elects one of its members as speaker, and each House chooses its own officers, and is the judge of the election and qualification of its own members. A majority of each House is a quorum for business, but a smaller number can adjourn from day to day, and compel the attendance of absent members. All sessions are open, except when the business is such as should be kept secret. Neither House can adjourn for more than three days without the consent of the other, nor to any other place than its regular place of meeting. Each House makes its own rules, punishes its own members or other persons for contempt or disorderly behavior in its presence enforces obedience to its process, protects its members against violence, bribes, or private solicitations, and may expel a member by a two-thirds vote. A member expelled for corruption cannot again become a member of either House.

8. The Senate confirms the Governor's nominations from time to time. When acting on executive nominations, it sits with open doors, and all votes must be by yeas and nays, and be recorded on the journal. Two thirds of all the Senators must vote in the affirmative to confirm a nomination made by the Governor.

9. The Legislature meets on the second Tuesday of January of every second year, (odd-numbered years,) and at other times when convened by the Governor. Before entering on their duties, every member must take the oath prescribed in section one of article seven of the Constitution, to be administered by a law judge.

Both Houses must keep a journal of their proceedings, and publish the same from time to time, except such portions as require secrecy. Members are privileged from arrest in all cases, except treason, felony, violation of their oath of office, and breach and surety of the peace during their attendance at their respective House, and in going to and returning therefrom, and for any speech or debate in either House cannot be questioned elsewhere.

Manner of Legislation.

10. All laws must be passed by bill, and no bill save the appropriation bill can contain more than one subject, to be clearly expressed in its title. The purpose of a bill cannot be changed during its passage. Each bill must be referred to a committee, be reported therefrom, and printed for the use of the members before it can be considered. It must be read at length on three different days in each house, and on its final passage must receive the affirmative votes of a majority of all the members elected to each House, the yeas and nays being entered in the journals.

Amendments made by either House must be concurred in by a majority of all the members of the other, on a call of the yeas and nays, and reports of conference committees must be adopted by a majority of the members of each House, voting by yeas and nays. All bills for raising revenue must originate in the House of Representatives, but the Senate may amend such bills. All bills and resolutions passed must be signed by the presiding officer of each House, in its presence, after the titles have been publicly read, and the fact of signing must be entered on the journals.

11. After having passed both Houses, every bill must be presented to the Governor for approval or disapproval. If approved by him, it becomes a law at once; if he disapprove, he must return it to the House where it originated, with his objections. A bill disapproved by the Governor may become a law by receiving the affirmative votes of two thirds of all the members elected to each House, on a call of the yeas and nays, the votes being recorded in the journals. If the Governor does not approve a bill and fails to return it to the House whence it originated within ten days after being presented to him, it becomes a law the same as if signed by him, unless the Legislature adjourns in the meantime. In this case, it becomes a law unless he files it, with his objections, in the Secretary of the Commonwealth's office, and gives notice thereof, by proclamation, within thirty days after such adjournment.

The Governor may disapprove any item in an appropriation bill, when there are several distinct items, and such item or items are void unless repassed according to the rules laid down in the Constitution for passing bills over the Governor's veto. Every resolution, order, or vote to which the assent of both Houses is necessary, except adjournment, must be approved by the Governor before it is effective; or, if disapproved by him, be repassed by the votes of two thirds of all the members elected to each House.

12. No member can vote on any bill in which he has a personal or private interest.

Limitations on Legislation.

13. The Legislature cannot pass a local or special bill unless notice thereof has been published in the locality to be effected at least thirty days prior to the introduction of the bill, nor until evidence of the publication has been furnished; and no local or special law whatever can be passed in any of the following cases: Granting divorces; fixing the rate of interest; exempting property from taxation; vacating roads, town plats, streets, or alleys; changing the names of persons and places; changing the law of descent or succession; changing the venue in civil or criminal cases; regulating trade, labor, mining, or manufacturing; authorizing the adoption or legitimation of children; authorizing the creation, extension, or impairing of liens; relating to cemeteries, graveyards, or public grounds not of the State; incorporating cities, towns, or villages, or changing their charters: creating corporations, or annulling, renewing, or extending the charters thereof; locating or changing county seats, erecting new counties, or changing county lines; opening and conducting elections, or fixing or changing the place of voting; regulating the affairs of counties, cities, townships, wards, boroughs, or school-districts; remitting fines, penalties, forfeitures, or refunding money legally paid into the treasury; erecting new townships or boroughs, changing township or borough lines, or school-districts; authorizing the laying out, opening, altering, or maintaining roads, highways, streets, or alleys; regulating the management of public schools, building and repairing school-houses, and raising money therefor; regulating the fees, or extending the powers and duties of aldermen, justices of the peace, magistrates, or constables; creating offices, or prescribing the powers and duties of officers in counties, cities, boroughs townships, election or school-districts; affecting the estates of minors or persons

under disability, except after due notice to all parties in interest, to be recited in the special enactment; relating to ferries or bridges, or incorporating ferry or bridge companies, except for the erection of bridges crossing streams which form the boundary between this and other States; granting to any corporation, association, or individual, any special or exclusive privilege or immunity, or to any corporation, association, or individual the right to lay down a railroad track; nor shall the Legislature indirectly enact such special or local law by the partial repeal of a general law, but laws repealing local or special acts may be passed; nor shall any law be passed granting powers or privileges in any case where the granting of such powers and privileges has been provided for by general law, nor where the courts have jurisdiction to grant the same, or give the relief asked for.

14. No law can extend the term of any public officer, or change his salary or emoluments, alter his election or appointment, nor can any bill be passed giving extra compensation to any public officer, servant, employé, agent, or contractor after service has been rendered or contract made, nor providing for paying any claims against the State without previous authority of law.

15. No appropriation can be made to any charitable or educational institution not under the absolute control of the State, other than Normal schools, except by a two-thirds vote of both Houses, and no appropriations, except for pensions and gratuities for military services, can be made for charitable, educational, or benevolent purposes, to any person or community, nor to any denominational or sectarian institution, corporation, or association, except that appropriations may be made to institutions in which the widows and orphans of soldiers are supported, to be applied exclusively to the support of such widows and orphans.

16. The Legislature cannot delegate to any special commission, private corporation, or association, any power to make, supervise, or interfere with any municipal improvement, money, property, or effects, whether held in trust or otherwise, or to levy taxes, or perform any municipal functions whatever.

17. No act of assembly can limit the sum to be recovered for injuries resulting in death, or for injuries to personal property, or limit the time in which suit may be brought against corporations for injuries to persons or property. In case of death from injuries, the right of action shall survive, and the Legislature shall prescribe for whose benefit it shall be prosecuted.

18. No act of assembly can exchange, transfer, remit, postpone, or in any way diminish, any obligation or liability of any railroad or other corporation, held or owned by the State, nor can such obligation be released except by payment into the State Treasury.

19. No act of assembly can authorize the investment of trust funds by executors, administrators, or guardians, or other trustees in the securities of any private corporations.

20. The Legislature has no power to change the venue in any civil or criminal case, such power being vested in the courts.

21. No law can be passed creating or continuing any State officer for inspecting or measuring any merchandise, manufacture, or commodity.

22. No *ex post facto* law, nor any law impairing the obligation of contracts, or making irrevocable any grant or special privileges or immunities, can be passed, nor can any person be attainted of treason or felony by the Legislature. Neither can the Legislature grant any title of nobility or hereditary distinction, or create any office the appointment to which shall be for a longer term than good behavior.

23. When the Legislature is convened in special session by the Governor, it can only legislate upon those subjects designated in the proclamation calling such session.

24. No law that may be passed changing the location of the capital of the State shall be of any validity until it has been submitted to the voters of the State, and ratified by them.

25. The general appropriation bill can embrace nothing but appropriations for the ordinary expenses of the legislative, executive, and judicial departments of the State government, the interest on the public debt, and for public schools. All other appropriations must be made by separate bills, each bill embracing but one subject.

Bribery and Corrupt Solicitation.

26. Any member of the Legislature who shall solicit, demand, receive, or consent to receive, directly or indirectly, for himself or for another, from any company, corporation, or individual, any money, office, appointment, employment, testimonial, reward, thing of value or enjoyment, or of personal advantage, or promise thereof for his vote or official influence, or for withholding the same, or with an understanding, express or implied, that his vote or official action shall be in any way influenced thereby, or who shall solicit or demand any such money or other advantage, matter, or thing aforesaid for another, as the consideration of his vote or official influence, or for withholding the same, or shall give or withhold his vote or influence in consideration of the payment or promise of such money, advantage, matter, or thing to another, shall be guilty of bribery, and, on conviction, be ineligible to the Legislature, and be incapable of holding any office of trust or profit under the laws of the State.

27. Any person who shall, directly or indirectly, give or promise any money or thing of value, testimonial, privilege, or personal advantage to any executive or judicial officer or member of the Legislature to influence him in the performance of any of his public or official duties, shall be guilty of bribery, and, on conviction, shall be fined not exceeding \$1,000, and be imprisoned not exceeding two years.

Impeachment.

28. The House of Representatives has the sole right to prefer articles of impeachment. All impeachments are tried by the Senate. When sitting for that purpose, Senators must be on oath or affirmation. The affirmative votes of two thirds of all the Senators present at the time the vote is taken is necessary to convict a person of any crime of which he has been impeached. The Governor and all other civil officers are liable to impeachment for any misdemeanor in office, but judgment in such cases cannot extend further than to removal from office, and disqualification to hold any office of trust or profit under the State. The accused, whether convicted or acquitted, is still liable to indictment, trial, judgment, and punishment, according to law.

Compensation of Members.

29. The compensation of members of the Legislature is one thousand dollars for each regular session not exceeding one hundred days, and ten dollars per day for every day in excess of one hundred: *Provided*, such excess of time shall not exceed fifty days at any one session. The compensation for each adjourned or special session is ten dollars per day. Members receive one mileage for each session, whether regular or otherwise, at the rate of twenty cents per mile between their homes and the State capital, to be computed by the ordinary mail route. No member can receive, during the time for which he is elected, any increase of salary or mileage under any law passed during his term. The President *pro tempore* of the Senate and the Speaker of the House receive one hundred dollars extra for each session. In addition, each Senator and Representative receives one hundred dollars' worth of postage stamps for each regular session, and fifty dollars for stationery for each regular session, and ten dollars for each extra session.

Officers, Mode of Appointment, and Salary.

30. The officers of the Senate are a chief clerk, Journal clerk, reading clerk, message clerk, two transcribing clerks, librarian, sergeant-at-arms and two assistants, doorkeeper and two assistants, messenger and assistant, postmaster, superintendent of folding-room, two janitors, two firemen, watchman, six pasters and folders, and ten pages.

31. The officers of the House are a chief clerk, resident clerk, reading clerk, Journal clerk, message clerk, two transcribing clerks, sergeant-at-arms and four assistants, doorkeeper and three assistants, doorkeeper for rotunda, messenger and three assistants, superintendent of folding-room, seven janitors, two firemen, one watchman, ten pasters and folders, and fifteen pages. Engineer of capitol building to be appointed by the chief clerks of the two houses.

32. The compensation of these officers is as follows for each regular session : Chief clerks, \$2,500 ; resident clerk, \$2,000 ; reading clerks and Journal clerks, \$1,500 ; message clerks, \$1,000. And in years in which special sessions only are held, they are paid ten dollars per day during such special session.

33. Transcribing clerks, sergeants-at-arms and assistants, librarian of Senate, postmasters and assistants, \$800 each, and five dollars per day for all extra sessions.

34. Doorkeepers and assistants, messengers and assistants, postmasters, superintendents of folding-rooms, janitors, engineer, firemen, and pasters and folders, \$600 each, and five dollars per day for all extra sessions.

35. The watchmen receive three dollars per day during the whole year, and the pages two dollars per day at regular sessions, and one dollar per day for extra sessions.

36. All except watchmen and pages receive mileage for each session, at twenty cents per mile for the distance between their homes and the State capital.

37. The librarian, janitors, watchman, firemen, and pages of the Senate are appointed by the chief clerk, and the rest are elected by the Senate.

38. The firemen and janitors of the House are appointed by the Speaker, the journal clerk, watchman, and pages by the chief clerk, and the rest are elected by the House.

EXECUTIVE DEPARTMENT.

CHAPTER XVIII.

GOVERNOR AND LIEUTENANT GOVERNOR.

Constitutional Provisions.

1. The supreme executive power of the State is vested in the Governor, who must see that the laws are faithfully executed. He is elected by the qualified voters of the State every fourth year on the Tuesday after the first Monday of November. The person receiving the highest number of votes becomes Governor, but if two or more are equal and highest in vote, one of them must be chosen Governor by a majority vote of the two Houses of the Legislature in joint session. His term of office begins on the third Tuesday of January following his election, and continues till his successor is qualified, but he is not eligible for the next term. No one is eligible to the office of Governor but a citizen of the United States, thirty-five years of age, who has been a resident of the State for seven years immediately preceding his election, unless absent on the business of the State or the United States. No person holding any federal office or any other State office can be Governor.

2. He is commander-in-chief of the army and navy of the State, and of the militia, except when they are called into the service of the United States.

3. With the advice and consent of two thirds of all the members of the Senate, he appoints a secretary of the Commonwealth, an attorney general, and an adjutant general at pleasure, a superintendent of public instruction for four years, a commissioner of insurance for three years, a superintendent of public printing and binding for four years, a State librarian for three years, and such other offices as the law directs. He fills all vacancies in offices to which he may appoint, when the Senate is not in session, by giving commissions to expire at the end of its next session. He can fill any vacancy that may happen in the offices of Auditor General, State Treasurer, or Secretary of Internal Affairs during the recess of the Senate, as well as in a judicial office or other offices which he is authorized to fill. If the vacancy occurs while the Senate is in session, he must appoint before it adjourns.

4. He can remit fines and forfeitures, and grant reprieves, commutations of sentence, and pardons, except in cases of impeachment; but no pardon shall be granted nor sentence commuted except on the written recommendation of at least three members of the Board of Pardons. He must sign all death warrants of persons sentenced to be hanged, and appoints the day of execution.

5. He may require information in writing from the heads of the several offices of the State government on subjects relating to their respective offices; and may, from time to time, give to the Legislature information of the state of the Commonwealth, making such recommendations as he may deem proper. These communications are called the "Governor's messages." On extraordinary occasions, he may convene the Legislature in extra session, and, in the event of a disagreement between the two Houses as to the time of adjournment, may ad-

journal them to a day fixed not later than four months. He may convene the Senate in extraordinary session by proclamation for executive business. He can veto any bill or resolution passed by the Legislature, or any item in an appropriation act containing more than one item, under the restrictions mentioned in the chapter on the Legislature under the head, "Manner of Legislation."

6. Contested elections of Governor and Lieutenant-Governor are determined by a committee of four Senators and nine Representatives, chosen by lot, as directed in the act of 1874. The chief justice of the Supreme Court must preside at such trial, and decide on the legality of all evidence offered and questions of law involved.

Legislative Provisions.

7. The returns of the election for Governor, by counties, are handed to the President of the Senate by the Secretary of the Commonwealth, and by him opened in the presence of both Houses of the Legislature, in the hall of the House of Representatives, on a day fixed by them, between the day on which the Legislature meets and the third Wednesday of January, when the Governor is inaugurated. At this joint meeting the vote of the State for Governor is counted, and the result declared.

8. The Governor commissions all State officers, whether elected or appointed, except Lieutenant-Governor and members and officers of the Legislature, all judges, magistrates, and justices of the peace, all county officers requiring commissions, notaries public, commissioners of deeds, officers in the National Guard, and such others as the law may direct.

9. Upon receipt of the returns of the election of members of Congress, he publishes a proclamation in one or more newspapers, reciting the names of the persons who seem to be elected, and immediately thereafter transmits the returns to the House of Representatives of the United States. On receipt of the returns of the election of electors of President and Vice President, he enumerates the votes cast for each one, and publishes a proclamation in one or more newspapers, setting forth the names of the electors chosen, and causes a notice of his election to be sent to each elector on or before the last Wednesday of the month in which the election occurs. He causes three lists of the electors to be made, certified, and delivered to them on or before the day on which they meet to cast the electoral vote of the State for President and Vice President. As soon as the result of any election for supreme judges has been determined according to law, he publishes a proclamation in one or more newspapers, reciting the names of the persons elected.

10. He approves the charters of all corporations for profit, created under the general corporation act of 1874 and its supplements, the charters of insurance companies created under the act of 1876 and its supplements, and issues letters-patent to corporations for profit formed under the laws of the State. On the failure of railroad and canal companies to elect officers according to the act of 1847, he may appoint directors for them. He must sign all patents for lands issued in the name of the State. He has prepared all standards of weights, measures, and capacity, and carries into effect all provisions of law relative thereto.

11. He issues warrants on the State Treasurer for all money appropriated by the Legislature for the erection and maintenance of penitentiaries, hospitals for the insane, and houses of refuge, and for money appropriated to charitable and benevolent institutions, and for such other purposes as the law may direct. In case of a disagreement between the Auditor General and State Treasurer relative to the settlement of any account, the whole matter is referred to the Governor, whose decision is final.

12. In case of a rebellion, or of an actual or threatened invasion of the State, he may call the militia into actual service, but not for a longer

period than three months at any one time on his own authority. In cases of emergency, to supply the militia thus called out, he may draw his warrant on the State Treasurer for such sums of money as may be actually necessary, and use the same as the exigencies of the case may require.

13. He issues letters-patent to towns and boroughs, erecting them into cities under the act of 1874 and its supplements, and issues certificates to cities accepting the provisions of said act.

14. In connection with the Secretary of the Commonwealth and the Secretary of Internal Affairs, he considers all applications for the erection of new counties, and any two of them may appoint commissioners to report concerning the same. On the report of the commissioners, if favorable, the Governor orders an election by the voters of the proposed new county, and on its formation appoints and commissions its first officers.

15. In case of a person charged with crime, and who has fled to another State or Territory, on sufficient proof he will issue a requisition on the Governor of the State or Territory where the fugitive is found, for his return to this State for trial. He also issues warrants for the arrest of fugitives from justice found in this State, on the requisition of other Governors.

16. In cases of prisoners confined in the penitentiaries and county jails allowed a deduction on their terms of sentence for good behavior, he issues orders reciting the time to be deducted, and directing their discharge.

17. Records and instruments of writing intended for use in other States, and in foreign countries, are authenticated by him, under the seal of the State.

18. He cannot be a bank director, but is one of the visitors of the Philadelphia prisons, and of the State penitentiaries, and lunatic hospitals. He is a member of the State Board of Agriculture, and one of the commissioners of the public grounds and buildings.

Lieutenant Governor.

19. There is elected at the same time with the Governor, and for the same term, a Lieutenant Governor, who must have the same qualifications as the Governor. He presides over the Senate, but has no vote unless it be equally divided on some question. In case of the death, conviction on impeachment, failure to qualify, resignation, or other disability of the Governor, the duties, powers, and emoluments of that office devolve upon the Lieutenant Governor for the remainder of the term, or till the disability is removed.

20. In case of a vacancy in the office of Lieutenant Governor, or when he shall be impeached or unable to discharge the duties of his office, the duties, powers, and emoluments thereof shall devolve on the President *pro tempore* of the Senate for the remainder of the term, or till the disability is removed. And the President *pro tempore* of the Senate shall become Governor if a vacancy occurs in that office while he is serving as Lieutenant Governor, in which case his seat as Senator becomes vacant.

Employees in the Executive Office.

21. There are five officers and employes in the executive office proper, in addition to the Governor and Lieutenant Governor, as follows:

22. *Private secretary*, whose duties, among others, are to have charge of the correspondence and clerical work of the office, conducting the correspondence as directed by the Governor. He receives and disburses the money appropriated for the incidental expenses of the office, and he is recorder of the Board of Pardons.

23. *Executive clerk*, who has charge of the correspondence relative

to appointments to office, and performs the general clerical work of the office, under the direction of the Governor and private secretary. He is clerk of the Board of Pardons, and as such receives and disburses the money appropriated for its incidental expenses, filing vouchers therefor in the Auditor General's office quarterly.

24. The other employés are a messenger, a night watchman, and a page.

Salaries.—Governor, \$10 000; Lieutenant Governor, \$3,000; private secretary, \$2,500; executive clerk, \$1,500; messenger, \$1,200; night watchman, \$900; page, \$300. The annual allowance for postage and incidental expenses of the office is \$2,000.

CHAPTER XIX.

SECRETARY OF THE COMMONWEALTH'S OFFICE.

Appointment and General Duties.

1. The Secretary of the Commonwealth is appointed by the Governor during his pleasure, and confirmed by the Senate. He must take the oath prescribed in section one of article seventeen of the Constitution, and give a bond to the Governor, for the use of the State, for the proper discharge of his official duties, in the sum of one thousand pounds. (A pound is \$2.66.) He is a member of the board of pardons, board of sinking fund commissioners, board of revenue commissioners, board of property, and a visitor of the Philadelphia prisons and State penitentiaries.

2. His duties are intimately connected with those of the Governor, as nearly all the official transactions of the Executive pass through his hands or office. He keeps a record of all the Governor's official acts, and, when required, lays them before the Legislature, with all the papers relating thereto. He has a deputy appointed by himself, with the approbation of the Governor, removable at his pleasure. He is the keeper of the great and less seals of the State, and has them affixed respectively to all instruments requiring the attestation of the Governor's signature. He collects, and pays over to the State Treasurer quarterly, all fees paid into his office belonging to the State, filing in the Auditor General's office a statement of the same.

3. The official bonds of all State officers, and all bonds and recognizances directed by law to be given to the State for the faithful discharge of any office, commission, or public trust, or contract, are filed in this office, and copies thereof, under his hand and seal, are evidence against the parties thereto, their heirs, executors, &c.

4. All the books, papers, accounts, and records of his office are open to the inspection of both branches of the Legislature, and he must furnish such copies or abstracts therefrom as may be legally required from time to time.

His Duties Relative to the Laws.

5. All the records in the office of the Master of the Rolls relating to the enrollment of the laws and other acts of the Legislature were directed to be turned over to this office, and all the powers and duties of that officer relating thereto are now performed under his direction. All the acts and resolutions passed by the Legislature, after being approved by the Governor, are recorded in this office, and the Secretary must furnish to the Superintendent of Public Printing and Binding, for publication, an accurate copy of all such passed at each session, prepared as directed by law; and, after they are printed and bound, he distributes them as the law directs.

Duties Relative to Charters of Corporations.

6. All charters of corporations, and amendments thereto, for literary, charitable, or religious purposes, created by the Supreme Court, as well as those created for manufacturing iron, are enrolled in this office.

He performs generally all duties relative to the formation of corporations created by the State, under the various acts of assembly relative thereto, and all duties relative to the extension of the charters thereof, their increase or decrease of capital, merger, consolidation, sale of franchises, &c., as directed by law; and the charters, articles of association, and all papers relating to the formation and modification of such corporations must be filed in this office.

7. Before foreign corporations can do business in the State, they must file in this office a statement showing their title, object, location, and the names of their agents.

8. Railroads, canals, and other transportation companies existing January 1, 1874, desiring to accept the provisions of article seventeen of the State Constitution, must file in this office the certificates required by law, and when the same are recorded by the Secretary, they shall have the privileges and be subject to the restrictions of that article; and street passenger railway companies must file here an acceptance of the provisions of article sixteen of the Constitution before they can benefit by the act allowing an extension of their lines.

9. Purchasers at a judicial sale of the franchises of any corporation, before using the same, or claiming or using the benefits of the law relating to the sale of railroads, canals, turnpikes, bridges, and plank roads, must file in this office their acceptance of the provisions of article sixteen of the Constitution.

10. All decrees of courts of common pleas, accepting the surrender of any power in any charter of a corporation, or dissolving any corporation, is inoperative until a certificate thereof is filed in this office.

Duties Relative to Election Returns.

11. All returns of elections for Governor, Lieutenant Governor, Auditor General, State Treasurer, and Secretary of Internal Affairs must be sent to this office, from each county, and be delivered to the President of the Senate within five days after the meeting of the Legislature. All returns of the election of Senators and Representatives are sent to the Secretary of the Commonwealth, and on the day the Legislature meets he delivers them to the proper Houses. Returns of elections to fill vacancies in either House are delivered as soon as received.

12. Returns of the election of Presidential Electors, members of Congress, and county officers commissioned by the Governor, are sent to this office, and the Secretary lays them before the Governor, as also the returns of all elections for judges of the several courts.

13. The returns of elections of justices of the peace and alderman, and certificates of their acceptance, are sent by prothonotaries to this office, and the Secretary causes commissions to issue to them signed by the Governor.

14. All election returns, required by law to be sent to the Secretary of the Commonwealth, must be sent by mail forthwith, and, if any return is not received by him within fifteen days after it should be mailed, he notifies the proper prothonotary to send him at once a certified copy thereof.

15. He countersigns the certificates of election of United States Senators after they are signed by the Governor. For his duties relative to elections by soldiers in the service of the United States, see laws of 1864.

16. In cases of contested elections of Presidential Electors, State officers, and law judges, a certified copy of the decision of the court trying the contest is filed in this office within five days after being rendered, that commissions may speedily issue, and decisions of courts trying contested elections of members of the Legislature are filed here to be laid before the proper House by the Secretary at the opening of the session, or as soon thereafter as received.

Miscellaneous Duties.

17. He must lay before the Legislature all testimony received by him relative to complaints against justices of the peace.

He furnishes seals for the courts and officers of the several counties, and for notaries public, and to the commissioners of counties, on application, copies of the standards of weights and measures—all at the cost of those furnished.

18. The Secretary and his deputy have power to administer oaths to all State officers and others in matters pertaining to the executive business of the State; and the official oaths of all State officers and judges of the Supreme Court, and the oath, and description of seal, and signature, of commissioners of other States and Territories and foreign countries to take acknowledgments are filed here.

19. For his duties in relation to letting contracts for furnishing supplies for the Legislature and departments, and distributing the laws, department reports, &c., see chapter on "Expenses of Government;" and relative to awarding the public printing and binding, and publishing the Legislative Record, chapter on "Public Printing and Binding."

20. The Governor, Secretary of Internal Affairs, and Secretary of the Commonwealth consider all applications for new counties.

He is required to advertise for proposals for publishing the reports of the Supreme Court, and, in conjunction with the Auditor General and Supreme Court Reporter, to award a contract therefor for a term of ten years.

21. There are eleven officers, clerks, and employés in the office in addition to the Secretary, as follows:

22. *Deputy Secretary.*—Whose duties, aside from acting as the deputy of the Secretary and discharging his duties during his absence or disability, are: To keep the executive minutes, showing the Governor's official action; to certify copies of laws and other papers; to deliver messages from the Governor to the Legislature; to collect all fees coming to the office, pay them to the State Treasurer, and file accounts thereof with the Auditor General; receive and disburse the money appropriated for the incidental expenses of the office; issue and transmit the warrants authorized to be drawn by the Governor on the State Treasurer, and keep the accounts; examine applications for requisitions and warrants for fugitives from justice, and prepare and forward pardons, &c.

23. *Chief Clerk.*—Who has general supervision of the work in the office, under the direction of the Secretary and deputy. He registers the acts of assembly; prepares the laws for publication, and directs their distribution; prepares proclamations; discharges the duties relative to election returns; prepares official notices; prepares for publication the official advertisements; receives and files awards of contracts, &c.

24. *Corporation Clerk.*—Who has charge of all matters in the office relating to charters of incorporation.

25. *Commission Clerk.*—Who prepares and forwards all commissions issued by the Governor to civil officers, keeps a register thereof, and has charge of all official bonds.

26. The other clerks and the messenger perform such duties as are assigned to them from time to time. In addition to these, the law authorizes the employment of a clerk temporarily, to record the laws, at \$125 per month while actually employed.

27. *Salaries.*—Secretary, \$4,000; deputy, \$2,500; chief clerk, \$1,800; corporation clerk, \$1,600; other clerks, \$1,400; messenger, \$1,100. Annual allowance for incidental expenses of the office, \$3,000. For indexing laws, \$100.

Distribution of Laws.

28. The following is the distribution to be made of the pamphlet laws by the Secretary: House of Representatives, 25 copies; Senate,

20; State Library, 10; for exchange with other States and Territories, 50; for each State office, 1; for each member and principal clerk of the Senate and House, 1; for each prothonotary of the Supreme Court, 1; for each judge of the Supreme Court, 1; for each judge and associate judge in the State, 1; for each sheriff, prothonotary, register, recorder, clerk of courts, county treasurer, board of county commissioners, district attorney, and county surveyor, 1; for each justice of the peace and alderman, 1; for each public library, 1; each judge and clerk of the circuit and district courts of the United States within the State, 1; State Department of the United States, 5; Philadelphia Atheneum, 1; mayor of each city, 1. Copies can be purchased from the Secretary of the Commonwealth at 40 cents for volumes of 150 pages or less, and 60 cents for volumes of 300 pages or less. Volumes of over 300 pages, \$1.

CHAPTER XX.

ATTORNEY GENERAL'S OFFICE.

1. The Attorney General is appointed by the Governor, at pleasure, and confirmed by the Senate. He is the legal adviser of the Governor and several State officers. Before entering on his official duties, he must take the oath required by section one of article seven of the Constitution, and give bond to the State, with two sureties, in \$30,000, for the faithful discharge of his duties, and the payment to the State Treasurer of all moneys collected by him for the State. He must have his office at the State capital, and keep therein dockets containing memoranda of all claims placed in his hands, showing the status of each; and he must make a report to the Legislature on or before the second Tuesday of January of each year, giving a statement of the official business transacted by him during the year.

2. All debts known by the Auditor General and State Treasurer to be due to the State remaining unpaid for ten days after the time for appeals must be placed in his hands for collection. All moneys thus collected by him must be paid into the State Treasury within ten days after receipt. He has access at all times to the records in the offices of the Auditor General and State Treasurer, and he must have settled and collected all accounts appearing thereby to be due the State, when the public interest will be served thereby.

3. The Auditor General, State Treasurer, and Attorney General may revise and resettle accounts already settled, when errors have been made, crediting or charging the result of such resettlement on the current account of the person or body politic.

4. He must file with the State Treasurer quarterly accounts of all sums collected for the State, and pay over all sums remaining in his hands. He must have these accounts settled by the Auditor General and State Treasurer in October of each year, as other accounts are settled, and on failure to make these returns and payments promptly, it is the duty of the Governor to remove him.

5. He must bring suit against any agent or attorney of the State, in the courts of Dauphin county, who has collected any money and failed to pay it over to the proper State officers, and proceed to judgment and execution as provided against defaulting public officers.

6. If he has reason to believe that any association has acted as a corporation without legal authority, or that any corporation has forfeited its corporate rights or franchises, or has exercised any power not belonging to it, it is his duty to ask from the proper court a writ of *quo warranto* for the determination of the matter. If the Secretary of Internal Affairs certifies to him that he believes any corporation is transcending its corporate functions or infringing on the rights of individual citizens, he must, by appropriate legal remedy, seek to redress the same by proceedings in court, at the expense of the State.

7. He examines all proposed bank charters, to see that they are in proper form, and duly made, as well as applications for charters for insurance companies, certifying to them when they conform to law.

8. The necessary process, when bills in equity are filed in the courts to perpetuate testimony relative to lands, tenements, and hereditaments, where the State is a necessary party, are served on him, and he must take care of the State's interest.

9. When authorized by the board of property, he may proceed in all

liens due the State for unpatented lands, in the manner to be pursued against defaulting public officers.

10. In cases where privileges and immunities have been given corporations by act of Assembly, on terms and conditions therein prescribed, for knowing or intentional neglect or refusal to perform which forfeiture is provided for in the act, the Attorney General must, on complaint made by one whose interests are thereby affected, institute proceedings at once in a court of competent jurisdiction to ascertain the fact, and if the said neglect or refusal be adjudged by the court to have occurred, then the said privileges and immunities shall cease.

11. In addition to his salary, the Attorney General is allowed five per cent. on claims that have been due the State more than sixty days, the same to be paid by the debtors as a penalty for neglect; but his compensation from this source shall not exceed seven thousand dollars per annum, all in excess of that amount being paid into the State Treasury.

12. The Attorney General is an official visitor of the Philadelphia prisons and of the State penitentiaries, is a member of the board of property and of the board of pardons.

13. The office of Deputy Attorney General was made permanent by an act passed in 1874. He assists the Attorney General in the discharge of his official duties, acts as his deputy, and in case of his absence or disability discharges his duties. He receives and disburses the money appropriated for the incidental expenses of the office.

14. Besides the Attorney General and deputy, there is one clerk in the office, who performs the clerical labor, keeps the books and records, and acts as messenger.

15. *Salaries*.—Attorney General, \$3,500; deputy, \$1,800; clerk, \$1,400. Annual allowance for incidental expenses of the office, traveling expenses, &c, \$1,000.

CHAPTER XXI.

AUDITOR GENERAL'S OFFICE.

1. The Auditor General is elected by the voters of the State at the general election every third year, and commissioned by the Governor to serve for three years from the first Tuesday of May next succeeding his election. He must take the oath of office prescribed in the Constitution, and give bond to the State in the sum of \$5,000. If an Auditor General elect dies before assuming office, the person then filling the office shall continue therein until his successor is qualified, who shall be elected at the next general election, and assume the duties of the office on the 1st day of December next ensuing, to hold for three years from the first Tuesday of May preceding. If a vacancy occurs in the office during the recess of the Senate, the Governor appoints till the end of the next session; but if it happens during the session, he must nominate before its close. In case of such vacancy, an Auditor General is chosen at the next general election, for the unexpired term, unless it happens within three months of such election, when he is chosen at the second general election.

2. The general duty of the Auditor General's office is to settle all accounts between the State and any person, office, department, association, or corporation, whether the claim is against the State or by it. His powers, relative to accounts coming before him, are very large. He can compel the attendance of those having accounts to settle, and witnesses deemed proper, and examine them under oath, and compel the production of all books and papers relating to the matter. He can secure the testimony of all such persons before any judge or justice of the peace, on a commission under his seal; and, to compel the attendance of witnesses and the production of books and papers, can exercise the power of attachment through sheriffs. He can imprison witnesses refusing to testify or to produce books or papers.

3. He may by himself, or with the State Treasurer, send an agent at any time to examine the books, papers, &c., of any party having accounts to settle with his office, or the accounts of county officers refusing to make returns as directed by law.

4. He must examine annually the condition of the money in the State treasury, and the State Treasurer must exhibit to him all records relating thereto. In settling the accounts of the Legislature, and the several State officers for incidental expenses, he can disallow any excess charged over fair cash prices.

5. Within thirty days after an account is settled on which a balance appears to be due the State, he shall send a copy to the party indebted, on which they may, within sixty days after notice received, appeal to the court of common pleas of Dauphin county.

6. After accounts are settled by the Auditor General, they are submitted to the State Treasurer, with all the papers, for examination and approval. When approved, they are returned to the Auditor General's office, the result entered in proper books, and the settlements filed away, after certified copies are made and sent to such parties as the law requires. If the State Treasurer refuses to approve an account, he must state his reasons in writing, and, if he and the Auditor General cannot then agree, the whole matter is referred to the Governor, whose decision is final.

7. The amount found due the State on settlement of any account shall

be a lien on all the real estate of the debtor and his securities in the State, from the date of settlement; *Provided*, entry thereof is made in the proper county, and shall bear twelve per cent. interest from sixty days after settlement.

8. The Auditor General must report to the Legislature annually all accounts remaining unsettled in his office, with the reasons therefor. The fiscal year closes November 30th, and immediately thereafter he makes a report for publication, giving an abstract statement of the finances of the State. All proper claims against the State, when no provision is made for their payment, must be settled as other accounts, and reported to the Legislature at once, if in session; if not in session, then within one week after its first meeting.

9. He possesses all the powers and performs all the duties of escheator general, and, on proper information, appoints deputy escheators when necessary. On failure of the court of common pleas of any county to appoint an auditor of the accounts of county officers, he must appoint a competent person for the place.

10. Certificates of association for banking purposes, after being approved by the Attorney General, are recorded in this office and certified to the Governor, who causes letters-patent to issue. All incorporated State banks are required to make quarterly statements to the Auditor General.

11. He must keep in his office a register of the acceptance by corporations of the provisions of the Constitution of 1873. He is a member of the military board, board of revenue commissioners, board of sinking fund commissioners, and is one of the commissioners of public grounds and buildings.

12. Besides the Auditor General, there are in this office thirteen clerks and employes, as follows:

13. *Chief Clerk.*—Who, under the Auditor General, has general supervision of all the work in the office. He receives all communications, keeps a record thereof, and refers all matters to the proper clerks for consideration; sees that the general day-book and ledger of the office are properly kept, in which are entered; Accounts settled, on which the Auditor General's warrant is issued in payment; accounts against county and city officers, counties, cities and boroughs, and notaries public; accounts with the several departments; all payments to the State; all payments by the State. These show each month's transactions separately, and are the basis of the Auditor General's annual report. He receives, examines, and files away monthly all vouchers from the State Treasurer for the payment of money; and disburses the money appropriated for the incidental expenses of the office.

14. *Corporation Clerk.*—Who has charge of and settles all accounts of corporations for taxes due the State. He keeps a register of corporations required to report to the Auditor General; register of those accepting the provisions of the Constitution; register of all settlements made, appeals taken, and accounts placed in Attorney General's hands for collection; and a separate account with each one, charging all taxes and crediting all payments.

15. The other clerks and employes discharge such duties as are assigned them, the principal desks being those of the county clerk, warrant clerk, and bank clerk.

16. *Salaries.*—Auditor General, \$3,000; chief clerk, \$1,800; corporation clerk, \$1,800; clerks, \$1,400; messenger, \$1,200; night watchman, \$900. Annual allowance for incidental expenses, \$2,000; for executing corporation tax laws, \$1,000.

CHAPTER XXII.

STATE TREASURER'S OFFICE AND SINKING FUND.

1. The State Treasurer is chosen by the voters of the State at the general election every second year, and commissioned by the Governor for two years from first Monday of May following his election, or till his successor is qualified. In case of a vacancy in the office, the Governor fills it by appointment till the first Monday of May succeeding the next general election happening more than three months after the vacancy occurs. Before entering on his duties he takes the oath required by the Constitution, and gives bond to the State in the sum of \$500 000.

2. He receives and receipts for all money paid into the State Treasury, apportioning it between the general revenue fund and the sinking fund, and pays all sums required by law to be paid by the State; but he can make no payment except in pursuance of appropriations made by law, and on warrants drawn by the proper officers.

3. He furnishes to the Auditor General, on the first business day of each month, a statement of all moneys paid during the preceding month, with the vouchers; and an account in detail of the money in the sinking fund and general revenue fund, where deposited, &c. On the first business days of January, April, July, and October, he reports to the commissioners of the sinking fund the balance in the fund after paying the interest on the public debt; and when it appears on these dates that the balance belonging to the general revenue fund exceeds \$500,000, that in excess of that sum must be placed in the sinking fund.

4. He makes an annual report to the Legislature, giving in detail the receipts and expenditures of the State Treasury, showing the receipts and disbursements of both the general revenue fund and sinking fund. This report also includes an estimate of the revenues and expenditures of the State for the ensuing year, the sums remaining from previous appropriations, and the probable amount that will be at the disposal of the Legislature.

5. His neglect or refusal to perform the duties required by the act of 1874, P. L., p. 126; the withdrawal of moneys deposited for the payment of the public debt, or current expenses of the State, without warrant of law; or the appropriation of any interest received on money belonging to the State, is a misdemeanor in office, for which he may be impeached and removed.

6. He joins with the Auditor General in the settlement of all accounts, and is invested with powers relating thereto similar to those belonging to that officer; and with the consent of the Auditor General, after an account has been finally settled, he may arrange with the debtor for its payment in installments, provided payment be made within seven years, and the amount be not decreased, nor the security lessened. In making collections and payments, he must conform to the decisions of the courts in all cases.

7. Where any county or city treasurer, or State officer, holding, disbursing, or transferring any public moneys or securities, becomes insolvent or in failing circumstances or his sureties shall die or abscond, he must take new securities for the State.

8. After the allotment of State taxes to counties and cities, by the board of revenue commissioners, he sends to the proper officers of each county a statement of the tax to be raised therein, and directions to assess and collect it.

9. He is one of the commissioners of public grounds and buildings, a member of the board of revenue commissioners, of the board of sinking fund commissioners, and the State military board.

10. Besides the State Treasurer, there are seven clerks and employés in this office.

11. *Chief Clerk.*—Has general charge of the office, under the direction of the State Treasurer, and in his absence discharges his duties. He receives all moneys paid into the Treasury, giving receipts therefor, and makes all payments, taking vouchers for the same; he apportions all moneys received between the sinking fund and general revenue fund; makes the monthly statement filed in the Auditor General's office; the quarterly statements required by law, and disburses the money appropriated for the incidental expenses of the office.

12. There are three other clerks, among whom the work of the office is distributed.

13. *Salaries.*—State Treasurer, \$5,000; chief clerk, \$2,000; clerks, \$1,400; messenger, \$900; night watchman, \$900; fireman, \$450. Annual allowance for incidental expenses, \$1,000.

Sinking Fund.

14. It is provided, by act of April 22, 1858, P. L., p. 468, entitled "An act to establish a sinking fund for the payment of the public debt," that to pay the debt of the State, the interest thereon, and such further debt as may hereafter be contracted, certain revenues shall be specially appropriated and set apart.

15. Section eleven of article nine of the Constitution directs that "to provide for the payment of the present State debt, and any additional debt contracted, * * * the General Assembly shall continue and maintain the sinking fund, sufficient to pay the accruing interest on such debt, and annually to reduce the principal thereof by a sum not less than two hundred and fifty thousand dollars; the said sinking fund shall consist of the proceeds of the sales of the public works, or any part thereof, and of the proceeds of the sale of any stocks owned by the Commonwealth, together with any other funds and resources that may be designated by law, and shall be increased from time to time by assigning to it any part of the taxes or other revenue of the State not required for the ordinary and current expenses of Government; and, unless in case of war, invasion, or insurrection, no part of the said sinking fund shall be used or applied otherwise than in extinguishment of the public debt." The Constitution further provides that the moneys of the sinking fund shall never be invested or loaned on any security but the bonds of the State, or of the United States. By act of June 5, 1883, P. L., p. 75, provision is made for the investment of the moneys of the sinking fund in the bonds of the State, or of the United States.

16. The Auditor General, State Treasurer, and Secretary of the Commonwealth are constituted the board of sinking fund commissioners, who have charge of all the moneys belonging to this fund, and of their disposition under the Constitution and laws. Each of them receives an annual salary of three hundred dollars, and they employ a clerk in the State Treasurer's office, at a salary of one thousand dollars a year, to keep the books and minutes, and perform the necessary clerical work of the commission. They must keep full and exact minutes of their proceedings, which are open at all times to the inspection of the Governor and members of the Legislature.

17. The sinking fund consists of the proceeds of the sale of the public works, all money derived from the sale of stocks owned by the State, and all tax on capital stock of corporations, and all balances in the general revenue fund on the first of January, April, July, and October, in excess of five hundred thousand dollars.

18. They must keep separate accounts of all moneys received and disbursed on account of the fund, specifying the source whence received,

and date of payment, and must distinguish between payments made on the debt existing on November 30, 1857, and that contracted since.

19. They must prepare a statement on the first business day of January, April, July, and October of each year, of the total amount of money in the sinking fund, verify it by oath or affirmation, and publish it in two newspapers in Harrisburg for public information. They must report and certify to the Governor, annually, on the 10th day of December, the amount of money placed in the fund, the amount of the debt and interest of the State redeemed and held by them, (up to and including November 30,) when the Governor directs the cancellation of the certificates redeemed, and issues his proclamation, stating the cancellation and extinguishment of that amount of the public debt.

20. They must report to the Legislature, within ten days after its organization, the whole amount of the public debt liquidated and cancelled since the last report, to be published in the Legislative documents, to which they must add the amount of each quarterly balance in the fund, the amount and date of all redemptions, the amount of interest paid, the amount and date of maturity of all the State loans, a summary of the receipts and disbursements of the fund, and a full statement of all stocks and moneys in the fund at the beginning and close of the year, to be verified by oath or affirmation of the commissioners. This report must state all offers made for redemption of loans, whether accepted or rejected by them.

21. The Farmers' and Mechanics' National Bank, of Philadelphia, is made the fiscal agent of the State for the purpose of transacting the business connected with the redemption of the State loans and, the payment of the interest thereon, for which it is paid \$6,000 per annum.

22. The interest on the public debt is due and payable semi-annually, on the first days of January and February, and July and August, and the commissioners must see that sufficient money is deposited with the fiscal agent for this purpose. The interest on the coupon bonds is paid by redeeming the coupons and sending them to the State Treasurer, the commissioners taking credit therefor, after which they are filed away in the Auditor General's office. The interest on the registered bonds is paid by the fiscal agent, and an account thereof sent to the State Treasurer, and the commissioners take credit therefor, when it is verified by the State Treasurer and filed in the Auditor General's office.

23. At the close of each quarter, on ascertaining the amount of money remaining in the fund, after paying the interest on the debt and the loans already called in, the commissioners must cause the fiscal agent to give notice by advertisement in one or more newspapers, calling in an amount of the oldest loans then payable equal to the amount remaining in the fund applicable for this purpose, stating that the interest thereon will cease on a day fixed. The fiscal agent at once carries out these instructions, advertising in the *Public Ledger*. At the close of each month, the fiscal agent sends to the commissioners certificates of all registered bonds redeemed, or, in case of coupon bonds, the bonds themselves, for which the commissioners take credit in their account. These, after being verified by the State Treasurer, are filed in the Auditor General's office.

24. Most of the State debt is now represented by registered bonds, issued in various sums, from fifty dollars to one million dollars. They are transferable, in whole or in part, only on the books of the fiscal agent. When sold by the State, one party may purchase to the amount of a million dollars, (or more,) as was done by Drexel & Co., in 1877, for which one bond may be issued. Afterwards, such party may sell such portions of this sum as they choose, and the amount of the sale will be transferred on the books of the fiscal agent, certificates being given by the fiscal agent therefor. By this means, the whole amount may be transferred. As these loans are redeemed, the original bonds (or the certificates of transfer) are returned to the commissioners, and afterwards filed in the Auditor General's office. In case of large bonds, where portions are

sold and transferred on the books of the fiscal agent, when the whole amount has been redeemed by the State, the original bond is returned to the commissioners and filed in the Auditor General's office.

Conpon bonds may also be registered in the office of the fiscal agent. They are transferred by indorsement on the back of the bond, after being attested and registered by the fiscal agent. In case of sale, the entire bond must be transferred, as the interest is payable on coupons which are not divisible. Each bond must be redeemed entire.

To prevent the accumulation of large sums in the sinking fund, without any profit to the State, the Legislature passed the act of June 5, 1883, which requires the commissioners to invest the surplus in the fund at the end of each quarter after paying the interest on the public debt, in bonds of the State or of the United States, for the benefit of the said fund.

CHAPTER XXIII.

OFFICE OF INTERNAL AFFAIRS.

1. The Secretary of Internal Affairs is chosen by the voters of the State at the general election every fourth year, and commissioned by the Governor for four years from the first Tuesday of May following his election, or till his successor is qualified. In case of a vacancy, it is filled by the Governor until the first Tuesday of May succeeding the next general election happening more than three months after the vacancy occurs. Before entering on his duties, he takes the oath required by the Constitution.

2. He exercises all the powers and performs all the duties formerly pertaining to the Surveyor General. His office embraces a bureau of industrial statistics, and he discharges such duties toward corporations, charitable institutions, and the agricultural, manufacturing, mining, and timber interests of the State as the law directs, making an annual report to the Legislature.

Powers and Duties Relating to Corporations.

3. He has all the powers and discharges all the duties formerly belonging to the Auditor General in regard to railroads, canals, and other transportation companies, save as to their accounts, and has general supervision over them, with power to demand reports and information at any time. It is his special duty to exercise a watchful supervision over railroad, banking, mining, manufacturing, and other business corporations, to see that they keep within their corporate powers. If any citizen shall charge, under oath, that any corporation is exceeding its corporate limits, or infringing on individual rights, he must investigate the charge carefully, and if he believes it to be true, and the matter is beyond the ordinary range of individual redress, he is required to certify it to the Attorney General, who will see that the proper remedy is applied.

4. He must furnish all railroad, canal, navigation, and telegraph companies, whose lines are wholly or partially within the State, on or before October 1, annually, with a blank form for their annual reports, and after these reports are filed in his office, he must lay copies thereof before the Legislature on or before the fifteenth day of February following. All such companies must make to him an annual report within thirty days after the end of their financial year, giving their operations in detail, and such special information as he may require. Companies refusing or neglecting to make such reports are liable to a fine of \$5,000.

Duties Relative to Collecting Mineral Statistics.

5. Railroad, canal, and slackwater navigation companies having lines passing through any coal region of the State, must report to this office annually the amount of coal and coke carried by them, making their reports so that the production on each line may be correctly ascertained, as well as the points at which it was mined. All mining companies, or persons working mines, and all State and county officers, when required, must furnish to this office all information in their possession regarding coal mined or marketed, or used by manufactories and not transported as above, give information as to where correct statistics as

to coal production can be had, and give information of all mining accidents in counties where there are no mine inspectors. After receiving this information, the Secretary shall collate the same so as to give in tabular form the fullest possible information regarding the coal interests of the State, separating the several kinds of coal, and the sections where produced, and giving full information regarding the number and cause of all mining accidents.

6. He must also collect, collate, classify, and report in a similar manner, all statistics relative to petroleum, salt, iron ore, zinc, and other mineral productions of the State, and the quantities of pig-iron and wrought-iron manufactured. Any corporation, company, firm, or individual engaged in mining, or any county officer neglecting or refusing to give the information or make the report required relative to mineral statistics, is liable to a fine of one hundred dollars.

Bureau of Industrial Statistics.

7. This office embraces a bureau of industrial statistics, the object of which is to inquire impartially into the relations of capital and labor, in their bearings upon the social, educational, and industrial welfare of all classes of working people, and to offer practical suggestions for their improvement. It collects, compiles, and publishes such statistics relative to the wages of labor, and the social condition of the laboring classes as will enable the people of the State to judge how far Legislation can be invoked to correct existing evils.

8. To assist the bureau in these duties, all corporations, firms, or individuals engaged in mining, manufacturing, or other business, and all persons working for wages in the State, are required to furnish such statistical information as the chief of the bureau or Secretary of Internal Affairs may demand. The bureau collects, compiles, and publishes annually the productive statistics of agriculture, mining, manufacturing, commercial, and other business interests of the State; and any corporation, firm, or person doing business in the State, neglecting or refusing, for thirty days, to answer questions by circular or on personal application, or who shall refuse to obey the subpoena of the proper officer of this department, shall be liable to a penalty of one hundred dollars.

9. The Secretary of Internal Affairs, with the approval of the Governor, appoints a chief of this bureau, for a term of four years.

Assessments and Taxable Property.

10. The commissioners of each county, and the board of revision of Philadelphia, must make out in tabular form, by assessment districts, and furnish to the Secretary of Internal Affairs on the first day of June of each year, a full statement of all property taxable for county purposes, showing the real and personal in separate columns, the amount of tax assessed for county purposes, and the debt of the county. These returns are consolidated in this office so as to show the result by counties, and are thus published in the annual report of the office, for the information of the people of the State at large.

Miscellaneous Provisions.

11. All maps, drafts, reports, and other papers relating to surveys of State or county lines, State or turnpike roads, railroads, canals, and other public improvements, are filed in this office. All commissions appointed to reestablish any of the boundary lines of the State, to erect new counties, or to annex part of one county to another, must file a copy of their report in this office; and after the report of a commission appointed to re-survey, re-mark, or change any county line has been approved by the court of quarter sessions of the proper county, in du-

plicate, the clerk of said court shall forward one of the copies to the Secretary of Internal Affairs, with the confirmation indorsed thereon, to be filed in his office.

12. A duplicate return of the election of county surveyor of each county must be sent to this office by the courts computing the returns, to be placed on file, and a certified copy of the surveyors' oaths of office must also be filed here.

13. The Secretary and deputy secretary have authority to administer oaths in all matters pertaining to the business of the office, and to call before them witnesses for examination in cases of doubt.

14. The Secretary of Internal Affairs' office embraces four distinct departments:

The land department, embracing matters relating to lands, the titles to which are derived from the State, and all surveys.

The department relating to valuation of taxable property, assessment of taxes, number of taxables, and debt of the several counties.

The bureau of industrial statistics, embracing all matters relating to the mining, the manufacturing, and the producing interests of the State, and the collection of mineral statistics, &c.

The department relating to railroad, canal, and other transportation companies, and banking, manufacturing, and other corporations.

15. Four separate reports are made by the Secretary of Internal Affairs to the Legislature annually, and printed for the information of the people. 1. Report of the Land Department. 2. Report showing number of taxables and amount of taxable property in each county, debt of each county, valuation, &c. 3. Report of Bureau of Industrial Statistics. 4. Report on railroads, canals, telegraphs, and other corporations.

16. Besides the Secretary of Internal Affairs, there are nineteen officers, clerks, and employes in this office, as follows:

Deputy Secretary.—Who, in addition to acting as deputy, has general supervision of the office under the direction of the Secretary; receives official communications, and answers or dictate answers when needed; supervises the preparation and publication of the various reports; receives and pays over to the State Treasurer all purchase money for lands, and all fees paid into the office; and receives and disburses the money appropriated for the incidental expenses of the office.

Chief of the Bureau of Statistics.—Who has charge of the bureau and the clerks therein under the direction of the Secretary and Deputy. He directs the collection, preparation, and compilation of all matter for the annual report of the bureau, and supervises its publication; prepares and sends out the necessary blanks for the collection of information and statistics; and directs the correspondence of the bureau. He is, also, secretary of the Mechanics' High School.

The drafting clerk, search clerk, and book-keeper have special duties, as have others also. Three clerks and a messenger are employed in the bureau of statistics.

17. *Salaries.*—Secretary of Internal Affairs, \$3,500; Deputy Secretary of Internal Affairs, \$1,800; Chief of the Bureau of Industrial Statistics, \$2,500; drafting clerk, \$1,700; clerks, \$1,400; messenger, \$1,200; messenger in bureau of statistics, \$600; night watchman, \$900. Annual allowance for incidental expenses, \$2,500.

CHAPTER XXIV.

DEPARTMENT OF PUBLIC INSTRUCTION, AND
SOLDIERS' ORPHAN SCHOOLS.

Constitutional Provisions.

1. The Legislature must provide for the maintenance and support of a thorough and efficient system of public schools, wherein all the children of the State above the age of six years may be educated, and must appropriate at least one million of dollars each year for that purpose. No money raised for the support of the public schools of the State can be used for the support of any sectarian school. Women are eligible to any office of control under the school laws of the State.

Support of Common Schools, and Duties of Directors.

2. The common schools of the State are supported by a revenue raised as follows:

First. Taxes levied by boards of directors and controllers, according to law, on all persons and property within the several school-districts, taxable for State and county purposes.

Second. Fines and penalties appropriated by law to their support.

Third. Moneys appropriated annually by the State.

3. The board of directors or controllers of every school-district must establish a sufficient number of schools in their several districts to accommodate every person therein, between six and twenty-one years of age, who may apply for admission and instruction; and levy and collect, according to law, sufficient tax to keep them open for not less than five nor more than ten months in each year.

4. They must provide suitable buildings for schools, and supply them with proper conveniences and fuel.

Exercise a general supervision over all the schools in their district.

Appoint all teachers, fix their salaries, and dismiss them for cause.

Direct what branches shall be taught in each school, what books used, and may expel pupils for cause.

Grade schools, and determine into which school pupils shall be admitted.

May, in certain cases, establish separate schools for deaf mutes, make provision for instructing the indigent blind, and, under certain restrictions, provide for night schools.

5. Each board of directors or controllers must make a report to the county, city, or borough superintendent at the close of each year, on blanks furnished them, giving all information required.

State Superintendent.

6. A Superintendent of Public Instruction is appointed by the Governor and confirmed by the Senate, to hold office four years from the first day of June succeeding his confirmation. He may be removed by the Governor for cause. Before entering on his duties, he must take the oath prescribed in the Constitution, and give a bond, with two sureties, in the sum of \$2,660, to the State. He is the head of the educational department of the State, and directs its workings under the laws passed by the Legislature.

7. He must, when required, give advice, explanation, construction,

or information, to officers and citizens, relative to the school law, duties of school officers, rights and duties of parents, guardians, pupils, the management of the schools, and other matters calculated to promote the cause of education.

8. He decides without appeal, and without cost to the parties, disputes among directors or controllers of any district, or adjoining districts, and between directors and collectors or treasurers, concerning their respective duties, on the facts being laid before him in writing by the parties officially verified by oath or affirmation if required, and accompanied by all necessary papers.

9. He makes an annual report to the Legislature, showing the condition of the schools of the State, the expenditures of the department during the past year, estimates for the coming year, whole number of pupils, cost of teaching each one, number of districts and teachers in the State, salaries paid to teachers, value of school property, and any other matters and things relating to the school system or the duties of his office that he may deem proper and necessary.

10. He prepares all blanks necessary to conduct the details of the system in a uniform and efficient manner, and furnishes them to county, city, and borough superintendents, who distribute them to the district officers. He has power to remove any county, city, or borough superintendent for neglect of duty, incompetency, or immorality, and to appoint another in his place until the next triennial election by the directors.

11. He determines the amount of the annual State appropriation to which each district is entitled, and issues the warrants on the State Treasurer therefor. In determining these amounts, he deducts from the gross sum appropriated by the State the following amounts: *First*, The sum to which the several cities and boroughs electing superintendents are entitled; *Second*, The amount allowed by law to students of normal schools; *Third*, Three hundred dollars for schools among the Cornplanter Indians; *Fourth*, The sum required to pay salaries of all the county superintendents in the State. (City and borough superintendents are not paid from this fund.) The balance is then apportioned among the several districts of the State, (other than cities and boroughs electing superintendents) *pro rata*, according to the number of taxable inhabitants in each, as shown by the last triennial assessment.

12. He has authority to employ competent persons to prepare plans and drawings for school-buildings of different grades and classes, and if approved by him he may have them printed, with estimate for building, and furnish a copy to each district.

13. The *Pennsylvania School Journal* is the official organ of the department, in which the current decisions of the superintendent are published free of charge, together with his annual report, and such other official circulars, letters of instruction and explanation as he may see fit to publish; and he is directed to subscribe for one copy for each board of directors or controllers in the State, to be paid for out of the amount appropriated annually for the incidental expenses of his office.

14. He prescribes all forms, and gives all necessary instructions for carrying into full effect the act relating to establishing and conducting the State normal schools.

15. He may appoint not exceeding two deputy superintendents, who, in case of his absence, or a vacancy in the office, may discharge the duties of superintendent.

County Superintendents.

16. The school-directors of each county meet in convention at the county seat on the first Tuesday of May of every third year, and elect by a *viva voce* vote a person of skill and experience in the art of teaching,* to serve as superintendent of common schools. He is commis-

* See "School Laws and Decisions," pages 123-125.

sioned by the State Superintendent to serve for three years from the first Monday of June next succeeding his election. Before entering on his office, he must take the oath prescribed in the Constitution. The salary is four dollars and fifty cents for each school in his jurisdiction at the time of his election; but no salary shall be less than eight hundred nor more than eighteen hundred dollars, and in counties with more than one hundred schools it shall not be less than one thousand dollars; and in counties having over two hundred and ninety schools, or twelve hundred square miles of territory, or a school-term exceeding seven and a half months in a year, it shall not be less than fifteen hundred dollars. Triennial conventions of school-directors may vote superintendents a higher salary than thus indicated, but the increase must come from the school fund of the county. Superintendents' salaries are paid semi-annually, by warrant of the Superintendent of Public Instruction, drawn on the State Treasurer.

17. Superintendents must visit the several schools in their county as often as practicable, note the course and method of instruction and branches taught in each, and give such instruction in the art of teaching as he deems necessary, that there may be uniformity of study in the several grades, and each grade up to the required standard as far as practicable. They must see that orthography, reading, writing, English grammar, geography, and arithmetic are taught in every district, and such other branches as the directors require, and when directors fail to provide teachers competent to teach such branches, the superintendent shall notify them of their neglect in writing, and if provision is not made forthwith for teaching the same, he must report the fact to the State superintendent, who shall withhold the State appropriation until competent teachers are employed. A refusal or neglect for one month after notice from the county superintendent to employ such competent teachers forfeits the State appropriation, absolutely, for that year.

18. Each county superintendent examines all candidates for the profession of teaching, and gives each person found qualified a certificate, setting forth the branches they are qualified to teach, and no teacher can be employed to teach any branch not set forth in such certificate. He may annul any certificate at any time, on ten days' notice to the holder, and the directors of the district in which the teacher is employed. All certificates must indicate the proficiency of the holder in the branches it covers.

19. Certificates are of three grades: *Provisional, professional, and permanent*. The first are the lowest grade, and are granted by county, city, and borough superintendents, annually, on examination; are good only in the jurisdiction where granted, and cannot be renewed without a new examination. The second are granted by county, city, and borough superintendents, to persons having a thorough knowledge of the several branches taught in the common schools, and who have had successful experience in teaching, and license the holder to teach any place within the jurisdiction of the superintendent granting them during his term, and for one year thereafter, and may be renewed without a reexamination. The third grade are granted by the Superintendent of Public Instruction to practical teachers holding professional certificates, on the recommendation of boards of directors in whose employ the applicant has taught successfully for three school-terms immediately preceding the date of the application, to be signed by the superintendent of the county, city, or borough, and approved by a committee of five teachers, after an examination of the applicant by them. A permanent certificate is a license to teach in the jurisdiction where the holder resided when it was granted, as long as employed therein; and also to teach one year in any other jurisdiction in the State, when it may be indorsed by the superintendent of such jurisdiction, and then confers on the holder the same rank and privileges therein as in the jurisdiction where originally issued. Permanent certificates can only

be annulled by the Superintendent of Public Instruction, on complaint, duly proven, of incompetency, cruelty, negligence, or immorality.

20. Each county superintendent must see that the teachers of his county hold, in the manner prescribed by law, a teachers' institute each year, to last at least five days, and be devoted to the improvement of teachers in the science and art of teaching.

Every superintendent is entitled to receive from the county treasury, for account of every such institute held according to law, not less than sixty, nor more than two hundred dollars, for the purpose of procuring lecturers and instructors, and books, stationery, &c., for its work. Directors must allow the teachers employed in their districts their time and wages while attending the institute,* and superintendents must report to each board of directors the number of days each teacher employed therein was in attendance. Teachers refusing or neglecting to attend the institute may have the same indicated in his certificate by a lower mark in the theory and practice of teaching. At the close of each institute, the superintendent must report to the Superintendent of Public Instruction the number of teachers present, the names of lecturers and instructors, the subjects of instruction, and the interest created among the people.

21. Superintendents must forward to the Superintendent of Public Instruction, on or before the first Monday of June in each year, the reports of the several districts of the county, sending therewith an extended report of the schools under his care, suggesting such improvements in the school system as he may deem necessary, and such other information regarding the practical workings of the schools, and the laws relating thereto, as may be of public interest. These reports are all published in the annual report of the Superintendent of Public Instruction.

City and Borough Superintendents.

22. Any city or borough having over five thousand inhabitants may elect a superintendent of common schools separate and apart from the county in which it is located, who shall have the powers, privileges, and immunities granted to county superintendents.

In addition to such reports as are required from county superintendents, city and borough superintendents must report monthly to the Superintendent of Public Instruction such facts relating to their work and the schools under their charge as may be required by him, and must attend all meetings of superintendents called by that officer.

No city or borough electing a superintendent separately is subject in any way to the county superintendent, except that in the matter of holding the annual teachers' institute, city and borough superintendents shall coöperate with the superintendent of the county in which they are located; but the institute shall be under the direction of the county superintendent.

The salaries of city and borough superintendents are fixed by the directors or controllers thereof, and paid out of the same fund as the teachers.

Normal Schools.

23. The State is divided into twelve normal-school districts, in ten of which normal schools are located, whose pecuniary affairs are managed by a board of eighteen trustees, chosen according to law. Each school must have these requisites:

First.—Not less than ten acres of ground in one tract, to be occupied by the buildings, gardens, for recreation purposes, &c.

Second.—The building must have a hall capable of seating one thou-

*This does not apply to Philadelphia and a few other districts.

sand persons, with recitation rooms, lodging rooms, refectories for at least three hundred students, properly lighted, ventilated, and heated, with provision for physical exercise in inclement weather.

Third.—A library room for the free use of students, cabinet for specimens, preparations for illustrating natural and other sciences, and the necessary apparatus and philosophical instruments for the same.

Fourth.—At least six professors, as follows: One of orthography, reading and elocution; one of writing, drawing, and book-keeping; one of arithmetic, and of the higher branches of mathematics; one of geography and history; one of grammar and English literature; one of theory and practice of teaching; to which shall be added such tutors and assistants, and such professors of natural, mental, and moral sciences, languages, and literature, as may be necessary.

Fifth.—The principal must be one of the six professors, and shall have charge of the discipline and government of the school, under regulations adopted from time to time by the trustees, approved by the State Superintendent.

Sixth.—Each school must have attached one or more schools for practice, or model schools, of not less than one hundred pupils, in which, by practice, the students may acquire a practical knowledge of teaching under proper professors.

24. Each normal school is required to instruct in its whole course one student from each school-district within the counties forming the normal-school district, selected by the directors of the several districts in the manner prescribed by law, the expense of tuition to be borne by the districts sending the pupils. Other students may be admitted, but the preference shall always be given to such as are designed for teachers. The qualifications for admission, and course and term of study, are fixed by the action of all the principals, called together from time to time by the Superintendent of Public Instruction.

25. An annual examination of students for graduation is had by a board appointed according to law, of which the Superintendent of Public Instruction, or his deputy, is president. No student can graduate without the affirmative vote of four of the five members of this board. Graduates receiving certificates are thereby licensed to teach the branches set forth therein in any part of the State; and after two years, and teaching two full terms, on producing a certificate of good character and of having taught satisfactorily, signed by the directors employing them, and countersigned by the proper superintendent, shall receive a full certificate of competence, authorizing them to teach in any district of the State. Teachers passing an examination with a graduating class may receive a like certificate, under the provisions laid down in the law.

26. Students graduating on account of common-school districts, must teach the first three years after their graduation in the districts sending them, if required by the directors thereof. For each student over seventeen years of age signing a declaration of their intention to teach in the common schools of the State, there will be paid fifty cents per week toward their expenses. For those signing a similar declaration whose fathers lost their lives in the late war, and who are between seventeen and twenty-two years of age, one dollar per week shall be paid. And for each graduate signing an agreement to teach in the common schools of the State two full years, fifty dollars shall be paid.

27. The several normal schools of the State now organized and in operation are located as follows: West Chester, Chester county; Millersville, Lancaster county; Kutztown, Berks county; Mansfield, Tioga county; Bloomsburg, Columbia county; Shippensburg, Cumberland county; Lock Haven, Clinton county; Indiana, Indiana county; California, Washington county; Edinboro', Erie county.

Miscellaneous Provisions.

28. By act of 1864, P. L., p. 826, provision is made for organizing and maintaining libraries in school-districts. See School Laws and Decisions, p. 182.

29. The city of Philadelphia and the borough of Carlisle have laws making them independent of the general school system of the State, and Allentown, Easton, Erie, Lancaster, Pittsburgh, and Williamsport have special legislation somewhat modifying the general law as regards their districts; and there is a law making special provisions relative to directors in Allegheny county.

For information relative to school-districts, and election, duties, &c., of school-directors, see Part Three of this book, under sub-head "School Directors."

30. Besides the Superintendent of Public Instruction, there are six other officers, clerks, and employés in this department, whose duties are as follows:

Two Deputies.—Who are legally authorized to "perform all the duties of Superintendent of Public Instruction in case of his absence or a vacancy in his office." One is usually designated the traveling deputy, and the other the office deputy.

The traveling deputy conducts the correspondence of the office; prepares for publication the reports of principals of normal schools; assists in preparing the annual report of the Superintendent of Public Instruction, and in preparing digest of school laws and decisions; assists at examinations of normal graduates, and attends teachers' institutes, and receives and disburses the money appropriated for the incidental expenses of the department.

The general duties of the office deputy are to answer official letters and questions presented to the department; decide controversies among school officers, concerning their duties: give advice, construction, and information to officers and citizens relative to the school law, duties of school officers, rights of parents, guardians, pupils, &c.; have charge of procuring and furnishing books, blanks, blank-books, and forms authorized by law, and required for the department and school-districts and officers; and exercise general supervision over the office work of the department.

31. *Financial Clerk.*—Writes and forwards all warrants issued by the Superintendent of Public Instruction, and keeps the accounts relating thereto; has charge of all certificates and affidavits; and has charge of all matters relating to appropriations to school-districts.

32. *Statistical Clerk.*—Has charge of matters relating to the statistics of the department, collecting and tabulating the same, and preparing them for publication.

33. *Recording Clerk.*—Prepares, forwards, and keeps a record of all permanent certificates, and commissions of county, city, and borough superintendents; copies and tabulates monthly reports of city and borough superintendents: answers letters not required to be copied, &c.

Each clerk discharges such further duties as he may be directed.

34. *Salaries.*—Superintendent of Public Instruction, \$2,500; deputy superintendents, \$1,800; clerks, \$1,400; messenger, \$900. Annual allowance for incidental expenses: For expenses of superintendents and principals of normal schools in attending annual examinations of normal graduates, \$300; engraving and printing warrants, \$200; publishing and circulating official decisions of department, \$2,500; postage, traveling expenses, &c., \$2,500.

Soldiers' Orphan Schools.

35. The soldiers' orphan school system was an outgrowth of the war of the rebellion, and is peculiar to Pennsylvania. Its object was to furnish maintenance and educational advantages to the destitute children of soldiers and sailors who went from the State into the war and

lost their lives; and well did it serve its purpose. It had its origin in 1864, when the Legislature passed an act authorizing the Governor to accept the sum of \$50,000, donated by the Pennsylvania Railroad Company, for the education and maintenance of destitute orphan children of deceased soldiers and sailors, and appropriate the same as he might deem best calculated to accomplish the purpose of the donation. In 1865, the State appropriated \$75,000 for this object, and \$300,000 in 1866. In 1867, the Legislature passed a law providing for schools for this purpose.

36. The general plan of these schools was to provide homes, clothing, food, education, and employment for these orphan children, until they should arrive at the age of sixteen years, when it was thought they would be prepared to earn their own livelihood. For this purpose a separate department was created, with a Superintendent of Soldiers' Orphan Schools at its head, and other officers, clerks, &c., under him. But in 1871 this office was discontinued and its duties imposed on the Superintendent of Public Instruction, by whom they are still discharged.

37. Careful regulations were made for the admission of children into these schools, and the Superintendent was directed to prescribe rules for their government, designating the number and grade of employes in each school, and the course of study to be pursued, which included all the common branches, instrumental and vocal music, military tactics, calisthenics, household and domestic duties, and mechanical and agricultural employment. He was required to visit each school once each quarter. The orphans of colored soldiers were provided for in a separate school.

38. These schools were required to make monthly reports, (as well as other schools where orphans were kept,) giving all information required by the Superintendent. In cases where it was deemed proper for the orphan to remain with its surviving parent, relatives, or guardian, the superintendent was allowed to give partial relief, not exceeding thirty dollars a year. For several years an appropriation was made for the purpose of aiding deserving orphans to fit themselves for teachers at the normal schools. As the children successively arrived at the age of sixteen, efforts were made by the officers of the department and of the schools to find good homes and remunerative employment for them, and, in many cases, with good success.

39. By act of 1873, all children born after January 1, 1866, were excluded from the schools, and up to 1874 no provision was made for any but children of deceased soldiers and sailors of the State. In May of that year, it was provided "that all the children of deceased soldiers who were formerly residents of this State, and enlisted into the service of the United States in regiments belonging to other States, and died in such service, such children now resident in this State, and the children of deceased, destitute, or permanently disabled soldiers or sailors, whether born after or before January, 1866, shall be admitted into the soldiers' orphan schools on the same conditions as the orphans of deceased soldiers and sailors are now admitted: *Provided*, the number shall not exceed one hundred." The same act provided that the schools should be fully closed, and the children discharged, on May 31, 1879. In 1878, the requirement as to their close was repealed, and the system was unlimited as to duration. In 1879, an act was passed directing the close of the schools, and the discharge of all children, on June 1, 1885. In 1883, an act was passed providing that no admissions shall be made to such schools after June, 1887, and that all the schools and homes shall close, and the children be discharged, June 1, 1890.

40. The amount paid annually by the State for the education and maintenance of these orphans was as follows:

For those under ten years of age, in homes or institutions receiving appropriations from the State, \$100

For those under ten years of age, in homes or institutions not receiving appropriations from the State, \$110
 For those over ten years of age, 150

41. The officers of the department, besides the Superintendent of Public Instruction, are an inspector, female inspector, chief clerk, and one clerk, who receive the following salaries: Superintendent, in addition to his salary as Superintendent of Public Instruction, \$1,200; inspector, \$2,000; female inspector, \$1,200; chief clerk, \$1,800; clerk, \$1,400. The amount for traveling, incidental expenses, &c., is fixed by the Legislature at each session, and received and disbursed by the chief clerk.

CHAPTER XXV.

ADJUTANT GENERAL'S OFFICE AND STATE MILITIA.

1. The active militia are styled the National Guard of Pennsylvania, and shall consist in time of peace of not more than one hundred and fifty companies of infantry, five companies of cavalry, and five batteries of artillery, fully armed, uniformed, and equipped, to be distributed through the State as the commander-in-chief (Governor) may deem best, and formed into brigades, regiments, and companies.

2. Every able-bodied male citizen of the State between twenty-one and forty-five years of age is liable to military duty, unless exempt by some law, but are subject to no active duty, (unless they belong to the National Guard,) except in case of war, invasion, insurrection, riot, or aiding in the execution of the laws of the State, when all the militia may be called out by the Governor.

Organization.

3. The National Guard shall conform as near as possible to the laws governing United States troops in organization and discipline, but the maximum strength of each company shall be sixty enlisted men, and the minimum fifty. The officers and non-commissioned officers are as follows: A commander-in-chief, (the Governor,) with the following staff officers: A commissary general, quartermaster general, surgeon general, judge advocate, inspector general, inspector of rifle practice, chief of artillery, each with the rank of colonel; assistant adjutant general, and twelve aids-de-camp, with the rank of lieutenant colonels.

4. One major general, with the following staff officers: An assistant adjutant general, inspector, surgeon-in-chief, quartermaster, commissary, judge advocate, paymaster, inspector of rifle practice, ordnance officer, each with the rank of lieutenant colonel, and as many aids-de-camp as the Governor sees fit to commission.

5. Each brigade has a brigadier general, with the following staff officers: An assistant adjutant general, brigade inspector, brigade quartermaster, brigade surgeon, brigade commissary, ordnance officer, and judge advocate, each with the rank of major; and two aids-de-camp, with the rank of captain; and there may be enlisted and attached to each brigade a military band.

6. Each regiment of infantry has a colonel, lieutenant colonel, major, adjutant, (extra lieutenant,) quartermaster, (extra lieutenant,) surgeon, two assistant surgeons, chaplain, sergeant-major, quartermaster sergeant, commissary sergeant, hospital steward, and two principal musicians.

7. Each company of infantry has a captain, first lieutenant, second lieutenant, first sergeant, quartermaster sergeant, commissary sergeant, five sergeants, eight corporals, two trumpeters, two farriers, (or blacksmiths,) one saddler, and one wagoner.

8. Each company of cavalry has a captain, first lieutenant, second lieutenant, first sergeant, quartermaster sergeant, commissary sergeant, five sergeants, eight corporals, two trumpeters, two farriers, (or blacksmiths,) one saddler, and one wagoner.

9. Each company of artillery has a captain, first lieutenant, second lieutenant, first sergeant, quartermaster sergeant, four sergeants, eight corporals, two musicians, two artificers, and one wagoner.

10. Every company has a clerk detailed from among the men by the captain.

How Officers are Appointed.

11. The military officers of the State are appointed as follows: Major general and brigadier generals by the Governor, and confirmed by the Senate.

12. Field officers of regiments and battalions are elected by the commissioned officers thereof by ballot.

Commissioned officers of companies are elected by the enlisted men thereof by ballot.

13. Staff officers are appointed as follows: The adjutant general by the Governor, quartermaster general and commissary general by the Governor, and confirmed by the Senate; all other staff officers of the commander-in-chief, (Governor,) by him.

14. Division staff officers are appointed by the major general, brigade staff officers by the respective brigadier generals, and regimental and battalion staff officers by their commanders, save that surgeons and assistant surgeons must be approved by the surgeon general.

15. All commissioned officers are commissioned by the Governor, and non-commissioned officers receive warrants from their regimental, battalion or company commanders.

Terms of Service, Uniform, Arms, Encampments.

16. The term of service of all officers and enlisted men in the National Guard is five years, unless incapacitated for duty, or regularly discharged, or dismissed by court-martial. The State furnishes all arms and equipments for enlisted men.

17. Each company and regiment, regularly organized, shall have such uniforms, arms, equipments, instruments of music, armory for storing arms and exercise in drill and such parades, encampments, and reviews as are prescribed by law, or may be directed by the commander-in-chief or other proper officer, and such organizations, and their officers, shall perform such duties and make such reports as are required by law, or may be directed by the commander-in-chief or other proper officers.

18. There is an annual encampment of the National Guard, not exceeding eight days, at such time and place as the commander-in-chief shall direct, for attending which they shall be furnished with transportation and subsistence, and be paid for five days' service.

Compensation.

19. When in actual service, called out by the Governor, or when on duty five days at the annual encampment, or one day each year for inspection, they receive the following compensation: Commissioned officers, the pay of officers of like grade in the United States army; first sergeants, and all non-commissioned staff officers, three dollars per day; sergeants, two dollars per day; corporals, one dollar and seventy-five cents per day; musicians and privates, one dollar and fifty cents per day.

20. Each infantry company properly organized receives from the State five hundred dollars a year, and each cavalry and artillery company, one thousand dollars a year, for the purchase of uniforms, blankets, knapsacks, &c., and one hundred dollars for armory rent, except in cities or towns of over 15,000 inhabitants, where the allowance for armory rent is two hundred dollars.

Adjutant General and His Duties.

21. The Adjutant General is appointed by the Governor for three years, but may be removed by him at any time. He gives bond in the

sum of \$20,000, (as do also the quartermaster general and commissary general.) The duties of the Adjutant General are generally :

22. To distribute all orders from the commander-in-chief, (Governor,) and obey all regulations made by law for carrying into execution and perfecting the military system of the State, and be in attendance when the commander-in-chief reviews the militia.

To furnish the National Guard and militia with all blank forms and rolls that may be required, and all orders, notifications, &c., and to furnish officers with copies of tactics prescribed for the United States army, and such other manuals as the commander-in-chief may direct.

To make proper abstracts from the returns of brigade commanders, and lay them before the commander-in-chief.

To make an annual return to the President of the United States of the militia of the State, in such form as the Secretary of War may prescribe, and furnish a duplicate thereof to the Governor.

To codify the military laws of the State, have them printed by the State printer, and distribute them among the officers of the National Guard.

To perform the duties of quartermaster general, commissary general and inspector general when such officers are not specially ordered on duty by the Governor.

To render to the Auditor General an annual account, with proper vouchers, of all his expenditures as Adjutant General.

He is chief of staff of the commander-in-chief, and issues all orders to the National Guard as directed by the Governor.

He is secretary of the State military board, and draws all warrants on the State Treasurer for claims allowed by it.

He receives and disburses the money appropriated for the incidental expenses of his office.

He has custody of the records of the Pennsylvania troops that served served in the late war of the rebellion and other wars, the records of the quartermaster general, commissary general, surgeon general, paymaster general, executive military department, transportation and telegraph department, Pennsylvania State agency at Washington, State military board, depository of State battle-flags, &c.

He furnishes to soldiers who served in Pennsylvania regiments, on proper application, certificates from the rolls in his office, to assist them to make proof of service when discharges are lost ; to make settlement on Government lands under the homestead act ; to make claim for bounty, pension, and back pay against the United States, &c.

State Military Board.

23. The Adjutant General, Auditor General, and State Treasurer constitute a "State Military Board," whose duty it is to adjust and audit all accounts and claims incident to the organization, discipline, and maintenance of the National Guard. The board meets on the first Monday of April and November of each year, and employs a clerk in the office of the Adjutant General at a salary of \$600.

Clerks and Employees.

24. In addition to the Adjutant General, there are eleven clerks and employes in the Adjutant General's office, and connected therewith, as follows :

Chief Clerk, who has charge of the office in the Adjutant General's absence ; recording and pay clerk, ordnance clerk, messenger, keeper of the State arsenal, who has general charge of that building and the stores therein, with the following employes under him : Armorer, assistant armorer, carpenter, two laborers, and a night watchman.

25. *Salaries*.—Adjutant General, \$2 500 ; chief clerk, \$1,800 ; clerks, \$1,400 ; keeper of arsenal, \$1,400 ; messenger, \$900 ; employes at arsenal

\$900. The messenger has charge of the room in the capitol building in which are deposited the State battle flags, and receives therefor \$300 a year.

26. The annual allowance for incidental expenses in this office is \$1,800, and for freight on arms, expenses of inspection, &c., \$1,500.

27. The National Guard of the State is divided into three brigades, each brigade comprising one or more counties, and commanded by a brigadier general residing within the territory comprising the brigade.

CHAPTER XXVI.

INSURANCE DEPARTMENT.

1. In 1873, an act was passed creating a new office, designated as the "Insurance Department," charged with the execution of the laws of the State in relation to insurance and insurance companies. The chief officer of the department is denominated the Commissioner of Insurance. He is appointed by the Governor, confirmed by the Senate, and commissioned to serve for three years from the first of May next succeeding his confirmation, or till his successor is qualified. He must take the oath prescribed in the Constitution, and give bond to the State in \$10,000. All vacancies in the office are filled by the Governor for the unexpired term.

2. The Insurance Commissioner must see that all laws of the State respecting insurance companies and their agents are faithfully carried out and enforced, and for this purpose is invested with ample powers in relation thereto. All charters of companies required by law to be filed with the State authorities must be filed in this office, and the commissioner may furnish copies thereof on proper application.

3. He makes up and preserves in a permanent form a full and complete record of all the proceedings of his department, and gives certified copies of any record or papers on file in his office, when he deems it not prejudicial to the public interest. He reports annually to the Legislature the receipts and expenditures of his department, all his official acts, the condition of companies doing business in the State, and such other information as will exhibit properly and intelligently the affairs and workings of his department.

4. He exercises a most careful and intelligent supervision over life insurance companies, seeing that they comply fully with all the laws of the State made for the protection of policy-holders, and that no company is allowed to do business in the State which is not entirely solvent.

5. He exercises a watchful supervision over fire and marine insurance companies, compelling all such doing business in the State to make good all impairment of capital, and reporting to the Attorney General all that are fraudulently conducted, insolvent, have insufficient assets, or have not complied with the laws of the State.

6. The department is a most important one, and affects a large portion of the people of the State, and many others besides. The object of its creation was to give to the State a safe and stable system of life, fire, and marine insurance, to protect legitimate and honest insurance companies, drive out of business rotten and worthless concerns, and insure to policy-holders full security and indemnity. It has met all these expectations fully and completely.

7. Besides the Insurance Commissioner, there are five other officers and employes in the department, as follows: Deputy commissioner, who, in addition to acting as deputy, has general supervision of the clerical work in the office, and disburses the money for the incidental expenses thereof; actuary, who calculates annually the value of all policies of Pennsylvania life insurance companies, and examines all life insurance companies of the State when directed by the commissioner; two clerks, and one messenger.

8. *Salaries.*—Insurance Commissioner, \$3,000; deputy commissioner, \$1,800; clerks, \$1,400; messenger, \$900. The law does not limit the amount for incidental expenses in this office, but allows the commissioner to use what may be necessary of its receipts for conducting its business properly, paying the balance into the State Treasury.

CHAPTER XXVII.

PUBLIC PRINTING AND BINDING.

1. The public printing and binding is let by contract on the fourth Tuesday of January of every fourth year, after advertisement, by the Secretary of the Commonwealth, to the lowest and best bidder, for four years from the first day of July next succeeding the letting. The bids are opened and the contract awarded by the Secretary in the presence of the bidders. The contract must be approved by the Governor, Auditor General, and State Treasurer before it is valid.

2. The State printer must keep his office for executing the public printing and binding at the State capital, and must always have on hand good and sufficient material therefor. No work can be done by him until authorized by the Superintendent of Public Printing and Binding, except printing the laws, journals of the Legislature, legislative and executive documents, and reports of heads of departments. All orders for work from any department or office must be directed to the Superintendent, and must describe particularly the work to be done and the material to be used.

Paper and Material.

3. On the first Monday of June in every second year, after advertisement, the Superintendent of Public Printing and Binding awards to the lowest responsible bidder the contract for furnishing the State with supplies for executing the public printing for two years from the first of July next ensuing.

4. Samples of the kind and quality of supplies required to be furnished must be given to bidders, and all contractors must conform rigidly to the samples furnished, in filling requisitions from time to time.

5. Contractors must keep in stock the necessary supplies, and the superintendent will make orders from time to time, as the supplies are needed, to be delivered to the State printer, free of expense for freight or boxing. A reasonable amount of stock is kept on hand at all times.

Superintendent.

6. The Superintendent of Public Printing and Binding is appointed by the Governor every fourth year, and confirmed by the Senate, to serve for four years from the first of July next succeeding his confirmation. He must take the oath prescribed in the Constitution, and give bond to the State in \$10,000.

7. He sees that all the department reports are properly printed and delivered, supervises the printing of all matter ordered by the Legislature, and if the State printer fails to comply with his contract, or does the work in an inferior manner, or delays it so as to cause inconvenience or detriment to the public interests, he may reject the work entirely, and with the Governor, Auditor General, and Attorney General, employ others to execute it, charging the State printer with the excess of cost.

8. He receives and has executed all orders for public printing and binding made by the Legislature and departments, keeping a complete record thereof, and sees that all material for blank-books and for binding is furnished by the State printer, except cover paper.

9. He keeps a record of the supplies furnished by contractors, and examines and certifies their accounts before they are settled and paid,

and sees that all work done for the Legislature and departments is in quantity and quality as ordered.

10. He must keep his office at the State capital, in the building where the State printing is done, and have it open throughout the year to persons interested in the performance of his official duties. He must not be interested, directly or indirectly, in the public printing and binding, or in furnishing any supplies therefor, or in supplying stationery, blanks, or blank-books to any department or office of the State Government.

11. He makes an annual report to the Governor of the printing and binding done for the State, materials furnished, cost thereof, and all matters connected with his office.

General Provisions.

12. The executive documents contain the Governor's message and all reports made to him. The Legislative documents contain the reports made to the Legislature ordered printed by it.

13. The accounts of the State printer for the public printing and binding are made quarterly, and after being certified by the Superintendent as correct, are settled by the Auditor General and State Treasurer, and paid on the Auditor General's warrants.

Documents Printed.

14. The regular number of copies of laws, journals, documents, &c., to be printed is as follows :

Pamphlet laws, 15,000.

Governor's message, 4,000.

Auditor General's report on finances, 2,250.

Auditor General's report on banks, 2,250.

Secretary of Internal Affairs' report, 3,250; his report on railroads, canals, &c., 2,500.

Report of Bureau of Industrial Statistics, 4,500.

Adjutant General's report, 2,500.

Superintendent of Soldiers' Orphans, 3,000.

State Treasurer's report, 2,500.

Insurance Commissioner's report of fire and marine companies, 3,000; his report of life and accident companies, 3,000.

Mine Inspectors' report, 3,000.

Agriculture of Pennsylvania, 25,660.

Report of Superintendent of Public Instruction, 20,500.

School laws and decisions, 20,000.

Report of Board of Public Charities, 5,500.

Smull's Legislative Hand-Book, 10,000.

Bills of each House, 450.

Calendars of each House, 300.

Journals of each House, 500.

Legislative and executive documents, 500.

Report of Superintendent of Public Printing and Binding, 2,250.

15. The salary of the Superintendent of Public Printing and Binding is \$2,000. He employs a clerk at \$300 a year, is allowed \$300 a year for office expenses, and \$100 a year for office rent.

Legislative Record.

16. On the first Monday of June of every fourth year, after advertisement by the Secretary of the Commonwealth, the Speakers of the Senate and House receive proposals for publishing the *Legislative Record* for a term of four years. They open the bids at the capitol, in the presence of the bidders, and allot the contract to the one proposing to do the work at the lowest price. The one receiving the contract

must give a bond to the State in the sum of \$5,000, to be approved by the president judge of the district in which the sureties reside. The *Record* is issued under the superintendency of the Superintendent of Public Printing and the printing committees of the two Houses. The contract with the publisher of the *Record* must specify in writing, in detail, what shall and what shall not be printed in it, and be signed by the contractor, Governor, Speakers of the two Houses, State Treasurer, and Auditor General.

17. It consists of not less than four pages each number, closely printed, and contains a record of the proceedings of the two Houses, including notices of presentation and disposition of memorials, petitions, and remonstrances, the introduction, reference, and action on bills and resolutions, sketches of debates, the yeas and nays on all questions, and generally such particulars as shall fairly exhibit the action of both Houses, besides such reports as may be inserted by order of either House.

18. The publisher must procure accurate reports of the proceedings of both Houses for publication therein, without any expense to the State, and these proceedings must appear in the *Record* on the day following the one in which they occur, and a failure to report, print, and deliver the same for two consecutive legislative days is a forfeiture of the contract. Six thousand copies of each number are printed, four thousand for the House of Representatives and two thousand for the Senate. It must be printed daily, except Sunday, when there is sufficient matter to fill four pages. The maximum price fixed by law for its publication is fourteen dollars per page, and bids are made at such a rate below this price. The successful bidder is the one who offers to do the work at the highest rate below the maximum price.

CHAPTER XXVIII.

MINE INSPECTORS.

1. The mining interests of Pennsylvania are very extensive and important, forming one of its chief industries and sources of wealth, and giving employment to many thousands of persons. For the purpose of properly developing this industry, assisting those interested in it to realize the largest measure of success, to protect the lives and interests of the laborers in the mines, and to see that all laws of the State relating to mines and mining are respected and enforced, the Governor is authorized to appoint mine inspectors in the several districts of the State.

Anthracite Region.

2. Three inspectors are appointed for the mines and collieries in Luzerne, Lackawanna, and Carbon counties, and three for the counties of Columbia, Schuylkill, Dauphin, and Northumberland, to be assigned to districts formed therein. They are appointed after an examination by, and on the recommendation of, a board of competent examiners selected by the courts. They must be thirty years of age, be citizens of the State, have a knowledge of the different systems of working coal mines, and have been intimately connected with the anthracite mines for five years, and have had experience in working mines where fire-damp and noxious gases are evolved. Their term of office is five years, but they may be removed for neglect of duty, incompetency, &c.

3. They must take an oath to discharge their duties faithfully, and are required to provide themselves with the most approved modern instruments and chemical tests for carrying out the object of their appointment. They must give their whole time and attention to the duties of their office, and must examine all the mines and collieries in their districts as often as their duties will permit, to see that every necessary precaution is taken to insure the safety of the workmen, and that the laws are obeyed.

4. They must make a report to the Governor at the close of each year, enumerating all accidents in and about their mines as directed, and giving all required information concerning the interests under their charge.

5. The courts of Luzerne and Schuylkill are each authorized by law to appoint a clerk for their mining district, to serve five years. They must be citizens of the United States, residents of their respective districts, thirty-five years of age, conversant with the interests of their districts, and engaged in no other calling. They may be removed for cause by the judge appointing them. Their offices must be located at Pottsville and Wilkes-Barre respectively, and they must keep a record of all data, statistics, matters, things, and information relating to the coal interests of their respective districts, which are open to all persons interested.

6. Each mine inspector must make a monthly return to the clerk of his district, as directed by law. The salary of each clerk is \$1,500 a year. For full information on this subject, see acts of 1870, P. L., pp. 3 and 70.

Bituminous Region.

7. The Governor appoints six inspectors of coal mines for the bituminous coal fields of the State, for a term of four years, after an ex-

amination by, and on the recommendation of, a board of examiners appointed by the courts. They must be citizens of the United States, of good character, thirty-five years of age, of four years' experience in working the bituminous coal mines of the State, and have good theoretical and practical knowledge of working bituminous coal mines, and noxious gases. They are sworn to faithfully discharge their duties, and give bond to the State in the sum of \$5,000 each, to be approved by the president judge of the judicial district in which they reside. They may be removed by the Governor for cause, when the same is certified to him by the court of the proper county, and the vacancy filled for the unexpired term.

8. They must devote their whole time to the duties of their offices; must examine all mines in their district as often as possible, to see that all laws relating thereto are strictly observed, and see that they are properly ventilated and drained. They must make a report monthly to the Secretary of Internal Affairs, covering all matters connected with their districts; and that they may be properly prepared to discharge their duties intelligently, they must provide themselves with proper instruments, books, and apparatus at the expense of the State. They may enter any mine at any time for inspection, and must notify the proper party of any violation of law, and the penalty therefor; and if the law is not then obeyed, may enforce the same through the courts. Their annual salary is \$2,000. The bituminous coal field of the State is divided into six districts, as follows, in each of which an inspector resides:

9. *First District.*—That part of Allegheny and Beaver counties lying south and west of the Ohio, Monongahela, and Youghiogheny rivers, and that part of Westmoreland lying between the Monongahela and Youghiogheny rivers, and the counties of Greene and Washington.

Second District.—That part of the county of Allegheny lying east of the Allegheny, Monongahela, and Youghiogheny rivers, and all that part of the county of Westmoreland lying east of the Youghiogheny river.

Third District.—That part of Beaver county lying north of the Ohio river, and the counties of Butler, Cameron, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango, and Warren.

Fourth District.—The counties of Blair, Bradford, Centre, Clinton, Huntingdon, Lycoming, Sullivan, Potter, and Tioga.

Fifth District.—The counties of Bedford, Fayette, and Somerset.

Sixth District.—That part of Allegheny county lying north of the Ohio and Allegheny rivers, and the counties of Armstrong, Cambria, Clearfield, and Indiana.

CHAPTER XXIX.

VARIOUS BOARDS.

I. Board of Revenue Commissioners.

1. For the purpose of equalizing the assessment of State taxes in the several counties and cities, the Auditor General, State Treasurer, and Secretary of the Commonwealth are constituted a board of revenue commissioners, to meet at least once in every three years.

2. That they may properly discharge this duty, commissioners of counties and cities must furnish them with a statement under oath at least ten days before their meeting, of all property assessed for State tax, distinguishing between real and personal estate, and all commissioners and assessors must answer under oath all questions asked them by the board. It is their duty to adjust the taxes so as to make them bear as equally as possible on all property taxable for State purposes according to its actual value.

3. For this purpose, after collecting all the evidence within their reach, and giving it due consideration, they shall assign to each city and county the quantity and value of taxable property therein, and the quota of tax to be raised thereon, and make a statement of the same.

4. After thus making the allotment of State tax, they must make a duplicate statement thereof, filing one with the Auditor General and the other with the State Treasurer. When this is done, the State Treasurer must send to the county and city commissioners, or boards of revision of taxes, a copy of their valuation and allotment of taxes, directing them to collect the same. If the board at any time increase the valuation and tax of any city or county, as they may do, the State Treasurer must at once notify said city or county thereof.

5. Cities or counties dissatisfied with their valuation may notify the State Treasurer within thirty days after receiving the record, specifying their objections, when the board may consider and adjust the same. Feeling themselves aggrieved by the final action of the board, they may appeal to the court of common pleas of Dauphin county, whose action is binding on the Auditor General and State Treasurer in collecting their tax and settling their accounts.

6. Each member receives as compensation for his services \$300 for each triennial meeting of the board, and they employ a clerk at the same compensation.

II. Board of Property.

7. The Secretary of Internal Affairs, Attorney General, and Secretary of the Commonwealth constitute the board of property, whose duty it is to determine all cases of controversy on *caveats*, in all matters of difficulty or irregularity touching escheats, warrants on escheats, warrants to agree, rights of preëmption, promises, imperfect titles, or other matters touching the business of the land office; but no action of this board shall effect the rights of either party at common law to recover possession or damages for waste or trespass.

8. The board has full and discretionary power as to suits for collection of liens against unpatented lands, and the Attorney General shall proceed therein only when authorized by the board. They, or either of

them, have authority to administer oaths in all cases necessary to the discharge of their duty. They appoint a clerk at a salary of \$200 a year.

III. State Board of Agriculture.

9. This board is composed of the Governor, Secretary of the Commonwealth, Secretary of Internal Affairs, Superintendent of Public Instruction, Auditor General, the president of the Pennsylvania Agricultural College, one person appointed by each agricultural society in the State entitled to receive an annual bounty from the county in which it is located, and three other persons appointed by the Governor at large. One third of the appointed members retire annually, and all vacancies are filled for the unexpired term.

10. The board must meet at the State capital once in each year, and after this, meetings are held in different sections of the State as often as the amount of money appropriated for the expenses will permit. Members receive no compensation from the State other than necessary expenses when engaged in the duties of the board.

11. They investigate such subjects relating to improvements in agriculture as they deem proper, prescribe forms for and regulate returns from local societies, and make an annual report to the Legislature, which is published under the title of "Agriculture of Pennsylvania."

12. They appoint a secretary at an annual salary of \$1,500, who has a permanent office at the State capital, under the control of the board, at the expense of the State. He conducts the correspondence of the board, attends all its meetings, prepares the proceedings for publication, supervises the publication of the annual report, and receives and disburses all moneys appropriated for the expenses of the board.

13. The purpose of the board is to assist all organizations laboring to promote agriculture and its kindred interests; to have an oversight of the artificial manures used in the State; and to collect the general agricultural statistics of the State, and publish them in such form as to be most useful to those interested. At the meetings of the board, provision is always made for lectures, essays, and discussions on topics of general interest to agriculturists and those engaged in kindred pursuits.

14. The annual allowance for the incidental expenses of the board, for expenses of members in attending meetings, &c., is fixed by the Legislature from time to time, but has not yet exceeded \$2,500.

IV. Board of Public Charities.

15. The board consists of seven commissioners, appointed by the Governor and confirmed by the Senate, for a term of five years. They elect one of their own number president, and appoint outside a secretary and general agent. The commissioners take the oath prescribed in the Constitution, and must meet quarterly in the State capitol. They receive no compensation for their services other than their necessary traveling expenses. The secretary and general agent of the board holds his office for three years, and is a member thereof *ex officio*.

16. The object of the board is to have a general supervision of all the charitable, reformatory, and correctional institutions in the State, and for this purpose must visit them all once each year. They must visit all such institutions receiving State aid at least once each year, to ascertain whether the moneys appropriated to them are properly used, the objects of the institutions accomplished, and the laws of the State observed. To secure the end of their appointment, they can visit any such institution any time, and have free access to all their grounds, buildings, books, papers, &c. They examine the returns of the several cities, counties, boroughs, townships, &c., in relation to the support of paupers therein, and prepare and furnish blanks for all charitable, correctional, and reformatory institutions to make returns upon. The general agent

must visit every jail, almshouse, and poorhouse in the State at least once in two years, and report their condition to the Legislature.

17. All institutions desiring State aid must notify the general agent of the board on or before the first of November preceding the meeting of the Legislature, giving amount to be asked for, and on what grounds. On these reports, the board makes such recommendations to the Legislature as it deems proper.

The board discharges many duties in relation to the unfortunate poor, under the laws of the State, and reports required to be made by inspectors of prisons, sheriffs, prothonotaries, clerks of criminal courts, and others, to the Secretary of the Commonwealth, must be made to it. Before any county prison or poorhouse can be erected, the plan thereof must be approved by this board. They make an annual report to the Legislature, stating their doings in full, which is published.

18. The salary of the secretary and general agent is \$3,000, and the board employs a clerk at \$1,500 a year. The incidental expenses are limited by the regular appropriations made by the Legislature.

V. Public Grounds and Buildings.

19. This board consists of the Governor, Auditor General, and State Treasurer. All repairs, alterations, and improvements made, work done, or expense incurred in and about the public grounds and buildings, (except the Senate and House of Representatives,) shall be under their control and supervision, and accounts therefor, except what relate to the Senate and House of Representatives, shall be passed on by them. The public grounds and buildings mean the capitol grounds and buildings at Harrisburg.

20. They appoint a superintendent and five watchmen to serve at their pleasure. The duties of the superintendent are to have general oversight of the grounds and buildings, and of work and improvements on the grounds; to see that they are kept in proper repair; to see that improvements ordered are made; to employ such laborers as are required; and receive and disburse, with the approval of the commissioners, all moneys appropriated for keeping the grounds and buildings in repair. The duties of the watchmen are to see that the public property is protected and cared for. They need not act as laborers. The salary of the superintendent is \$1,400, and of the watchmen \$900. The Legislature appropriates such sums from time to time for repairs and improvements as are necessary.

VI. Port Wardens of Philadelphia.

21. There is a board of wardens for the port of Philadelphia, consisting of a master warden, appointed by the Governor for three years, and sixteen assistants, elected by the councils of Philadelphia, one by the borough of Bristol, in Bucks county, and one by the city of Chester. Their duties relate exclusively to the port of Philadelphia, and its shipping interests, and we will not enter into any details concerning them. The Governor also appoints a harbor master, who acts in conjunction with the master warden and assistants, and holds his office at the Governor's pleasure. The salary of the master warden and harbor master is \$2,500 each; and the Legislature appropriates from time to time such sum as it deems necessary for the proper discharge of the duties of their offices.

VII. Board of Pardons.

22. The Lieutenant Governor, Secretary of the Commonwealth, Attorney General, and Secretary of Internal Affairs constitute the pardon board, and the Governor can grant no pardon, nor commute any sentence, save on the written recommendation of three of them, after a full hearing of the case in open session, after due public notice. These rec-

ommendations, with the reasons therefor, are filed in the Secretary of the Commonwealth's office. The duty of the board is only advisory, and the Governor is not bound to grant the clemency recommended, though he would, perhaps, scarcely refuse to follow their recommendation.

23. The board meets regularly on the third Tuesday of each month, in the office of the Secretary of the Commonwealth. Each member of the board, and its recorder and clerk, receives \$500 a year for their services as such. The annual allowance for its incidental expenses is \$500.

CHAPTER XXX.

STATE LIBRARY.

1. A State Librarian is appointed by the Governor, and confirmed by the Senate, every three years, his term to commence on the first Monday of February next succeeding his confirmation. He may be removed by the Governor for cause. He must take the oath prescribed in the Constitution and give bond to the State in \$2,000.

2. He has charge of and is responsible for the safe-keeping of the library, and receives and disburses all moneys appropriated for library purposes, including the purchase of all books. He must report annually to the Legislature the number of volumes in the library, the number purchased, lost, or unreturned, and the amount of money received and expended.

He receives and forwards all the public documents intended for exchange with the several States and Territories, including the laws.

3. He may sell, or exchange for new books, the surplus copies of works of which in his judgment there are more copies than required, and may sell old editions of books, or exchange them, and sell odd volumes and broken sets, and replace them with others.

4. He must reside at the State capital, and appoints an assistant to aid him in discharging his duties, (with the consent of the Governor.)

5. The Supreme Court has the use of the law library during its sittings in the State capital. There is a law limiting the privilege of taking books to the Governor and heads of departments, but by universal consent and long custom it has been so construed as to allow the privilege to clerks and employes of the government resident at the capital.

6. There are in the library nearly forty thousand volumes, divided into three general classes: Law books, statute laws and State papers, and miscellaneous books.

7. The law books include elementary treatises on nearly every branch of law, commentaries, abridgments, digests, indices, essays, and reports of the several courts of the United States, Federal and State, and those of Great Britain.

8. The statute, laws, and State papers embrace those of the United States, the several States and Territories, and Belgium, Canada, England, France, Ireland, Sweden, and Norway.

9. The miscellaneous books embrace a vast variety of subjects, but are intended to include (1) books, pamphlets, maps, &c., relating to the history and industries of Pennsylvania from the beginning under Penn; (2) publications relating to American history in general; (3) cyclopedias and other works of reference; (4) general literature.

10. The salary of the librarian is \$1,800, and of the assistant \$1,200. The annual allowance for expenses is as follows: For freight, postage, &c., \$500; for marking books, \$100; for reports of Supreme Court for exchange, \$600; for law books and exchanges, \$1,500; for miscellaneous books, \$1,500.

CHAPTER XXXI.

**HOW EXPENSES OF THE STATE GOVERNMENT
ARE PAID.****Members, Officers, and Employees of the Legislature.**

1. The members of the Legislature are paid their salary, mileage, and allowance for stationery by warrants drawn on the State Treasurer by the presiding officers of the respective Houses; and the clerks and employés by warrants drawn by the Auditor General, on accounts certified by the presiding officer and chief clerk of each House, and settled by the Auditor General and State Treasurer.

State Officers and Judges of the Courts.

2. The salaries of all State officers and judges are paid by warrants drawn by the Auditor General on the State Treasurer, on accounts rendered either monthly or quarterly, and settled by the Auditor General and State Treasurer.

Clerks and Employees in the Several Departments.

3. At the end of each month, a pay-roll is made up in each office or department, embracing the names of all clerks and employés therein, setting forth the sum due each one. This is certified by the head of the department or office and placed in the hands of the State Treasurer. At the close of the month, all are paid by the State Treasurer, signing the roll as a receipt.

Incidental Expenses of Departments.

4. At the beginning of each quarter, the head of each department or office makes a requisition on the Auditor General for a warrant for one fourth the sum allowed for expenses during the year, more or less, which is settled by the Auditor General and State Treasurer, and the Auditor General issues his warrant on the State Treasurer therefor, charging the officer with the amount. At the close of the quarter, the vouchers are filed in the Auditor General's office, settled by him and the State Treasurer, and credited in the account of the office or department filing them.

Incidental Expenses of the Legislature.

5. The incidental expenses of the Legislature, including labor done in the halls, committee-rooms, &c., such as sweeping, cleaning, and the like, and the allowance for postage, which is \$100 to each member, including the Lieutenant Governor, \$100 to the clerks of the Senate, and \$200 to the clerks of the House, to be divided among them, is paid by the warrant of the Auditor General on accounts filed by the chief clerks of the respective Houses, and settled by the Auditor General and State Treasurer.

Stationery, Fuel, &c.

6. Stationery and fuel for the Legislature and for the several departments and offices of the State government (members of the Legislature receive no stationery, but a stated allowance therefor) are furnished under contracts, let to the lowest bidders, after advertisement according to law, and are paid by warrant of the Auditor General on bills rendered to him, certified by the officers entitled under the law to receive the supplies, which bills are settled by the Auditor General and State Treasurer in the same manner as other accounts.

7. The halls of the two Houses of the Legislature are repaired and re-furnished under contracts given to the lowest bidders after public advertisement for proposals therefor, and all contracts for distributing public documents are awarded in the same manner, and all moneys due contractors therefor are paid by warrant of the Auditor General on the State Treasurer on bills rendered by contractors, and certified as correct by the proper officers.

8. All advertisements published by any officer in any newspaper must be published in the regular advertising columns thereof, without being leaded or displayed, on an order signed by the officer ordering the advertisement, stating the space it shall occupy, and the number of times to be inserted. Such advertisements are paid for by warrant of the Auditor General on accounts therefor, settled by the Auditor General and State Treasurer, and cannot be paid for at any higher rates than those charged to other advertisers for same space and location.

Common Schools.

9. The amount appropriated by the Legislature for common-school purposes for each year is one million dollars, distributed as set forth in the chapter on "Department of Public Instruction," and is paid by warrants drawn by the Superintendent of Public Instruction on the State Treasurer in favor of the several school-districts.

National Guard.

10. Moneys appropriated for the ordinary expenses and maintenance of the National Guard are paid on warrants drawn by the Adjutant General on the State Treasurer, under regulations prescribed by law.

State Institutions, &c.

11. Appropriations made by the Legislature to State institutions and to institutions receiving aid from the State, are paid by warrants of the Governor drawn on the State Treasurer.

Soldiers' Orphans.

12. The quarterly accounts of schools for education and maintenance of soldiers' orphans are examined and certified by the Superintendent of Soldiers' Orphan Schools, and, after being settled by the Auditor General and State Treasurer, are paid by the warrant of the Auditor General on the State Treasurer.

Annuities and Gratuities.

13. Annuities and gratuities granted to individuals by the Legislature are paid by warrants of the Auditor General on the State Treasurer, on applications in writing made to the Auditor General therefor, settled by the Auditor General and State Treasurer.

Public Debt and Interest.

14. The public debt as it matures, and the interest thereon, are paid by the Farmers' and Mechanics' National Bank of Philadelphia, which is made the fiscal agent of the State by act of assembly, in the manner set forth in the chapter on the State Treasury, under the sub-head "Sinking Fund," from the funds deposited in the bank for that purpose by the State Treasurer.

Mileage of Mercantile Appraisers.

15. The mileage of the mercantile appraisers of the several counties is paid by the warrant of the Auditor General, on accounts rendered by them, and settled by the Auditor General and State Treasurer.

All claims against the State, unless some other mode of payment is provided specially by law, must be made in regular form, and presented to the Auditor General for settlement. After being examined and approved by him, they are submitted to the State Treasurer, and, if approved by him, they are returned to the Auditor General, who issues his warrant on the State Treasurer in payment thereof.

All vouchers for the payment of money by the State Treasurer are filed in the Auditor General's office monthly, where they remain.

CHAPTER XXXII.

STATE INSTITUTIONS.

I. Penitentiaries.

1. There are two penitentiary districts in the State, the eastern and western. The penitentiary for the eastern district is located in Philadelphia, and the district comprises the counties of Adams, Berks, Bradford, Bucks, Carbon, Chester, Columbia, Cumberland, Dauphin, Delaware, Franklin, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Philadelphia, Pike, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, and York. The penitentiary for the western district is located in Allegheny county, and the district comprises all the counties of the State not enumerated in the eastern district. They are both constructed on the principle of solitary confinement, and are for the accommodation of prisoners sentenced within the respective districts to imprisonment for any period, not less than one year, to solitary confinement at labor.

2. All prisoners are kept separately, at labor, sustained on wholesome food of a coarse quality. No access is had to them except by inspectors, and officers of the institution, official visitors, or those admitted for highly urgent reasons. Prisoners are conveyed to and kept in the penitentiaries at the expense of the counties in which they are convicted. The salaries of the officers are paid by the State.

3. Persons convicted by the United States courts within the State may be confined in these penitentiaries, to be subject to the same discipline and treatment as other prisoners, the expense of their keeping to be paid by the Federal Government.

4. The penitentiaries are severally managed by a board of five inspectors, selected from the taxables of the State, to serve five years. They appoint a warden, a physician, and a clerk, and fix their salaries, as well as the salaries of all other employés. The inspectors serve without pay. They see that the accounts are accurately kept of all materials, provisions, and supplies furnished, and all sales of manufactured articles; visit the penitentiaries weekly, speak to every convict, listen to all complaints, and take action when necessary; and make an annual report to the Board of Public Charities of the condition of the institution, number of prisoners, and all things relating thereto.

5. The warden of each penitentiary must reside therein, and visit each cell and apartment, and see each prisoner, at least once every day. He keeps the records, showing the number of prisoners received, died, pardoned, discharged, escaped, complaints made, punishments inflicted, visits of inspectors and physicians, and all other matters that concern the State. He appoints and dismisses all employés, under the direction of the inspectors; sees that the rules are obeyed; inflicts all punishments under the rules, and must not be absent a night without permission in writing from two inspectors, and shall not be present when the inspectors make their stated visits, unless required by them. He furnishes to each county an account of the expense of their prisoners, and the labor done by them, and a similar account to the Legislature.

6. The regulations concerning overseers and all employés are very

strict, and they must give the utmost attention to convicts, and see that every rule concerning them is strictly enforced. And they are forbidden, under severe penalties, to receive from any prisoner, or any one in their behalf, any emolument or reward whatever, or promise thereof, for any service rendered. The use of tobacco and intoxicating liquors is prohibited.

7. The official visitors of the penitentiaries are the Governor, members of the Legislature, Secretary of the Commonwealth, Attorney General, judges of the supreme court, president and associate judges of all courts in the State, mayor and recorder of the cities of Philadelphia, Pittsburgh, Allegheny, and Lancaster, and the sheriff and commissioner of the several counties of the State.

8. Convicts must be discharged at the end of their term without any delay or expense whatever, under any proceeding to compel payment of costs, fines, &c., if they show under oath their inability to pay. For good conduct, prisoners may be allowed a deduction of one month on each of the first two years of their term, two months on each of the next three years, three months on each of the next five years, and four months on each remaining year, and be discharged so much the sooner. Each prisoner, at his discharge, whose residence is within fifty miles of the penitentiary, receives five dollars from the State, and each one whose residence is fifty miles (or more) distant, receives ten dollars, to bear their expenses home. Courts are not permitted to sentence prisoners so that their term will expire between November 15 and February 15 following. (This provision amounts to nothing.) Wardens of the penitentiaries receive an annual salary of \$2,500.

II. Industrial Reformatory.

9. The industrial reformatory of the State is located in Huntingdon county. It is under the direction of a board of five managers, appointed by the Governor, who have charge of its business affairs and make all needful regulations for its conduct. They receive no compensation other than necessary expenses.

10. This institution is for the reception of all male criminals, between the ages of fifteen and twenty-five years, not known to have been previously sentenced to any penitentiary or State prison in this or any other State, who shall be legally sentenced thereto by any court of competent jurisdiction.

The discipline is such as is best calculated to promote and encourage the reformation of the prisoners confined therein.

III. Hospitals for the Insane.

11. There are five State hospitals for the insane, located as follows: One at Harrisburg, for the counties of Adams, Bedford, Bucks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Northumberland, Perry, Schuylkill, Union, and York.

12. One at Dixmont, in Allegheny county, for the counties of Armstrong, Allegheny, Beaver, Butler, Cambria, Fayette, Greene, Indiana, Jefferson, Lawrence, Somerset, Washington, and Westmoreland.

13. One at Danville, Montour county, for the counties of Bradford, Carbon, Centre, Clinton, Clearfield, Columbia, Lackawanna, Luzerne, Lycoming, Monroe, Montour, Pike, Potter, Sullivan, Susquehanna, Tioga, Wayne, and Wyoming.

14. One at Warren, in Warren county, for the counties of Cameron, Clarion, Crawford, Elk, Erie, Forest, McKean, Mercer, Venango, and Warren.

15. And one at Norristown, Montgomery county, for the counties of Bucks, Chester, Delaware, Lehigh, Montgomery, Northampton, and Philadelphia.

16. These hospitals are for the reception, maintenance, and treatment

of the criminal and indigent insane of the several counties of the districts in which they are located, who may be placed therein according to law.

17. The courts have power to commit to these institutions persons charged with any offense punishable with death or imprisonment, who are found to have been insane when the offense was committed, and who shall continue insane, the expense of maintaining them to be borne by the county sending them. They may also commit persons found by legal proceedings to be insane. Poor overseers have authority to send insane paupers to these hospitals. Prisoners confined in the penitentiaries on becoming insane may be removed to these hospitals, at the cost of their respective counties. Private patients may also be received and treated. Patients are admitted from the several counties in each district according to the ratio of their insane population.

18. The expense of maintaining indigent insane persons committed by the courts is borne by the poor district in which was their last legal settlement, or if they had no such settlement, then by the county where found a lunatic. In the order of admission, the indigent insane always have precedence over the rich, and recent cases over those of long standing. Indigent persons and paupers are charged for care and medical attendance actual cost; paying patients, according to the terms directed by the trustees.

19. On application to the proper courts, persons confined in any insane asylum may be restored to their friends or relatives, under such terms as the law directs.

20. The hospital near Pittsburgh has a department in that city for the "sick" and "persons receiving accidental injuries."

21. Superintending physicians of these hospitals must be married men, and reside with their families in the hospitals of which they have charge. They are appointed for a term of not less than ten years, but may be removed for cause.

22. The hospitals at Harrisburg, Danville, and Warren are governed and managed by a board of nine trustees, appointed by the Governor; the one at Pittsburgh by a board of managers, twenty-one of whom are elected by the corporators, three are appointed by the Governor, and the rest are managers for life, made such by the payment of \$1,000 to the institution; and the one at Norristown by thirteen managers, five of whom are appointed by the Governor, two by the councils of Philadelphia, and one by the county commissioners of each of the other counties in the district. They receive no compensation but their necessary expenses. They make all needed regulations for the government of their respective institutions, appoint the superintending physicians, and all necessary officers. The superintending physician appoints all subordinate officers and employes, and has direction of their duties.

23. The salaries of the superintending physicians are as follows: Hospital at Harrisburg, \$3,000; at Dixmont, \$3,000; at Danville, \$2,550; at Warren, \$2,500; at Norristown, \$3,000; all paid by the State.

IV. Houses of Refuge.

24. The State has two houses of refuge, one located in Philadelphia and the other at Morganza, in Washington county. The one in Philadelphia is called "The House of Refuge," and the one at Morganza the "Pennsylvania Reform School." They are for the reception, care, and reformation of infants under twenty-one years of age, (in case of "House of Refuge" females under eighteen,) committed in either of the following modes:

First.—By magistrates, aldermen, or justices of the peace, on complaint and proof made by parents, guardians, or next friends, that by reason of incorrigible or vicious conduct they are beyond their power, and it is necessary for their future welfare that they be committed.

Second.—By the same authority, on complaint and proof that they

are proper subjects for the house of refuge, in consequence of vagrancy, or incorrigible or vicious conduct, or where, from the moral depravity or otherwise of those having charge of them, they are unfit or unwilling to exercise proper care and discipline over them.

Third.—By the courts, when taken as vagrants, or upon any criminal charge, or duly convicted of criminal offenses.

25. The institution at Morganza is for the counties of Allegheny, Armstrong, Beaver, Butler, Crawford, Cambria, Clarion, Erie, Elk, Fayette, Forest, Greene, Indiana, Jefferson, Lawrence, Mercer, Venango, Washington, and Westmoreland. The one at Philadelphia is for the balance of the State.

26. The house of refuge is managed by a president, two vice presidents, treasurer, secretary, and twenty-one managers, elected annually by the members of the association. The Pennsylvania Reform School is managed by a president, vice president, treasurer, and secretary, elected by the members of the association; twelve managers appointed by the Governor, and one manager appointed by each county subscribing to the institution under the act of 1851. These managers make such regulations for the government of the institution, and the instruction, discipline, employment, and disposition of the inmates, not contrary to law, as they deem proper, and appoint all officers, agents, employés, and servants, and designate their duties. They must make an annual report to the Legislature, giving all necessary information, and an account of the receipts and expenditures for all purposes.

27. The managers have authority to place the inmates at such employment, and cause them to be instructed in such knowledge, as may be suited to their years and capacity during their minority, and, with their consent, bind them out to some proper trade. The children committed to the Pennsylvania Reform School by legal process are maintained by the counties whence they come, and, in case of sickness, may have spiritual advice from any recognized clergymen. Infants convicted in any court of the United States for the western district of Pennsylvania may be committed to the school at Morganza if residents of any county for which it was erected.

The judges of the courts of common pleas and the recorder of Philadelphia, and the judges of the courts of common pleas of Allegheny county are directed to visit the respective houses of refuge in such manner as they may arrange among themselves, at least once in every two weeks, and carefully examine into all commitments made, and if any are not in proper form, direct the infant's discharge forthwith.

28. The superintendent of the House of Refuge, at Philadelphia, receives an annual salary of \$2,500, and the assistant superintendent, \$1,750. The superintendent of the Pennsylvania Reform School, at Morganza, receives \$1,500 a year, and the assistant superintendent, \$750, all paid by the State. The schools are erected and maintained by the State.

V. Institutions for the Deaf, Dumb, and Blind.

29. Pennsylvania Institution for the Deaf and Dumb is located in Philadelphia, and is supported by the annual and life subscriptions of its members, donations and legacies of the charitable, by appropriations from the State from year to year, and by money received for the education of children whose parents are able to pay. It is governed by a board of directors chosen by the corporation, and by such officers as are chosen at the annual meeting of the members.

30. Indigent children from all parts of the State are received into this institution, and maintained and educated, so far as its funds will admit. If more apply than can be accommodated, they shall be fairly apportioned among the several counties. Preference shall always be given to the children of this State. No child can be educated at the expense of the State who is under ten or over twenty years of age, nor for a

longer time than six years. The sum of \$220 is allowed yearly by the State for each indigent deaf mute in the institution educated and maintained at the public expense.

31. The Western Pennsylvania Institution for the Instruction of the Deaf and Dumb is located at Pittsburgh, and maintains and instructs deaf and dumb infants at the expense of the State, as well as others, on the same terms as the institution in Philadelphia.

32. The indigent blind are supported and instructed at the Pennsylvania Institution for the Instruction of the Blind, located in Philadelphia, at the expense of the State. No pupil can remain in the institution at the cost of the State more than eight years. The sum allowed by the State for the maintenance and instruction of each indigent pupil is \$300 a year.

CHAPTER XXXIII.

SUBJECTS AND RATES OF TAXATION FOR STATE, COUNTY, TOWNSHIP, BOROUGH, AND SCHOOL PURPOSES.

State Taxes.

1. All corporations doing business in the State, or having money employed therein, except foreign insurance companies, banks, and savings institutions, shall pay to the State Treasurer an annual tax, to be computed as follows: One half mill on each dollar of capital stock, for every one per cent. of dividend declared, where the dividend is six per cent. or more a year. Where the dividend is less than six per cent. a year, or where no dividend is declared, then the tax is three mills on each dollar of a valuation of the capital stock, made according to law. All limited partnerships doing business in the State, or engaged in any way in the transportation of freight or passengers therein, come under this law, except those organized for manufacturing or mercantile purposes.

2. All transportation and telegraph companies, or limited partnerships engaged in such business, whether incorporated or not, doing business in the State, shall pay to the State Treasurer annually a tax of eight tenths of one per cent. on their gross receipts in the State.

3. All insurance companies organized under the laws of the State, and doing business for profit, shall pay to the State Treasurer semi-annually a tax of eight tenths of one per cent. on the gross amount of premiums received by them within the State.

4. All private banks and bankers, and unincorporated banking and savings institutions, express companies, palace and sleeping car companies, and all corporations incorporated by or doing business in the State, except such as are liable to a tax on capital stock or gross receipts, and banks, trust companies, and savings institutions having capital stock, and foreign insurance companies, shall pay to the State Treasurer three per cent. on their net earnings or income, in addition to all other taxes; but banks and savings institutions incorporated by the State, and National banks, may, in lieu of this tax, pay a tax of six tenths of one per cent. on the par value of their stock, which will exempt them from all other taxes, State or local, except on their real estate.

5. All foreign insurance companies doing business in the State must pay to the State Treasurer annually three per cent. on all premiums received in the State.

6. All foreign corporations, except insurance companies, having an office in this State, but not investing or using its capital therein, must obtain from the Auditor General an annual license therefor, for which they shall pay to the State Treasurer one fourth of a mill on each dollar of their authorized capital, save corporations paying tax in some other way. The accounts for the foregoing taxes are kept in the Auditor General's office, and collected by the Auditor General and State Treasurer.

7. Notaries public pay to the State Treasurer \$25 each for their commissions; and in Philadelphia, five per cent. on their gross income additional, and in the balance of the State fifty per cent. of their gross income in excess of \$1,500, after deducting actual office expenses.

8. All mortgages, money owing by solvent debtors, whether by prom-

issory note, or penal or single bill, bond or judgment, all articles of agreement and accounts bearing interest, except notes or bills for work or labor done and obligations to banks for money loaned, also all shares of stock in any bank, banking or savings institution or company incorporated by the State, and all public loans or stocks, whether county, city, borough, township, or whatever they may be, except of the State and the United States, and all money loaned or invested in another State, and all other moneyed capital in the hands of individual citizens of the State, and all money loaned by building associations, are taxable at the rate of four mills on the dollar annually.

9. Household furniture (including gold and silver plate) in excess of \$300, stage-coaches, hacks, cabs, omnibuses, annuities over \$200 not paid by the State or United States, and all property held, owned, used or invested for the use of another, are taxable at the rate of three mills on the dollar.

Pleasure carriages are taxable at the rate of one per cent. on the assessed value.

Gold lever watches and others of equal value are taxed one dollar each; other gold watches, silver lever watches, and other silver watches of equal value, seventy-five cents each, and all other watches, worth twenty dollars or more, fifty cents each.

10. All estates passing after the death of the grantor to any party other than the father, mother, husband, wife, children, and lineal descendants of the grantor, (born in lawful wedlock,) shall pay to the State a tax of five per cent. on their clear value. This is called the collateral inheritance tax.

11. All dealers in merchandise whose annual sales exceed \$1,000, and all *feme sole* dealers whose annual sales exceed \$2,000, brewers and distillers, keepers of billiard saloons and bowling alleys, licensed tavern keepers, restaurant and eating-house keepers, auctioneers, and wholesale liquor dealers, pay such annual tax to the State as is assessed by the mercantile appraiser, who is appointed in December of each year by the county commissioners. (See mercantile appraisers.)

12. Prothonotaries, registers, and recorders of the several counties collect the following taxes for the State: On every original writ, (except *habeas corpus*,) every amicable action, every *certiorari*, every entry or confession of judgment where suit has not been commenced, fifty cents; on every transcript from a justice of the peace or alderman, including appeals, twenty-five cents; every probate of a will and granting letters testamentary thereon, and every case of granting letters of administration, fifty cents; every deed or other instrument in writing offered for record, fifty cents; every commission recorded for health officer, lazzaretto physician, port physician, superintendent of powder magazine, prothonotary, clerk of any court, register of wills, recorder of deeds, sheriff, and interpreter, \$10; every magistrate, justice of the peace, and alderman, \$3.

13. Hawkers and peddlers are required to pay to the county treasurer for the use of the State the following licenses: To travel on foot in the county, \$8; with one horse and vehicle in the county, \$16; with two horses and vehicle in the county, \$25. For a State license, to be paid to the treasurer of the county where the application is made, to travel with one horse and vehicle, \$40; with two horses and vehicle, \$50.

14. Theaters, circuses, &c., must pay the following annual licenses: In Philadelphia, \$500; in Allegheny county, \$200; in all other counties, \$50. Menagerie license in Philadelphia, \$200; in Allegheny county, \$100; and in all other counties, \$30: *Provided*, That a license may be granted to any theater, circus, menagerie, dramatic company, or equestrian troupe for the whole State on payment of \$1,000. In all cases, the license must be paid to the treasurer of the county where the license is applied for.

15. Prothonotaries, clerks of courts, and recorders of deeds of all counties having less than one hundred and fifty thousand inhabitants, shall

pay to the State Treasurer, for the use of the State, fifty per cent. of all fees received by them yearly in excess of \$2,000, clerk hire, and stationery, (in case of recorders, necessary clerk hire and office expenses;) sheriffs, in all counties of over ten thousand and less than one hundred and fifty thousand inhabitants, shall pay to the State fifty per cent. yearly of all fees received in excess of \$5,000, clerk hire, and stationery. The taxes enumerated in paragraphs 8 to 15, inclusive, are all collected by the several county officers, and by them paid into the State Treasury.

County Taxes.

16. The following classes of property are taxable for county purposes: 1, all houses, lands, lots of ground, ground rents, mills and manufactories, malt houses, furnaces, forges, bloomaries, distilleries, sugar houses, breweries, tan-yards, and ferries; 2, all horses, mules, and cattle above four years old; 3, all offices and posts of profit, professions, trades, and occupations, and all single freemen over twenty-one years of age, not following any occupation or calling.

17. The following classes of property are taxable for county as well as for State purposes: All shares of stock or weekly deposits in any unincorporated savings fund institution, and all public loans and stocks whatsoever, except those of this State, and all money loaned or invested on interest in any other State; all household furniture, (including gold and silver plate,) in excess of \$300, at the rate of three mills on the dollar; all pleasure carriages kept for use, at the rate of one cent on the dollar.

18. The commissioners of each county, after the general election, yearly make an estimate of the probable expenses of the county for the next year. After the assessors have made their return of assessments, and the valuation has been settled and adjusted, the commissioners fix the rate of taxation for county purposes for the coming year, by ascertaining what rate per cent. the tax required to meet the county expenses is of the aggregate valuation of property in the county taxable for county purposes. Example: The valuation of all property taxable for county purposes is \$4,500,000; the estimated expenses of the county for the next year are \$45,000; the tax rate will be ten mills on the dollar of the valuation of all property assessed for county purposes, because \$45,000 is one per cent. of \$4,500,000.

Township Taxes.

19. Road taxes in the several townships are levied on the same classes of property as county taxes, on the basis of the last adjusted valuation made for county purposes. The rate cannot exceed one cent on the dollar of the valuation in any year, but the supervisors may levy and collect a special tax to pay a debt due a former supervisor or overseer; and, when so directed by the courts, may levy and collect a special tax for paying other special indebtedness.

By an act passed in 1881, "all subjects and things made taxable for State or county purposes are made taxable for the support and maintenance of the poor," save that "all mortgages, judgments, and recognizances whatsoever, and all moneys due or owing upon articles of agreement for sale of real estate," are "exempt from all taxation except for State purposes." The rate to be levied by overseers cannot exceed one cent on the dollar of the valuation at any one time. The law relating to taxes for road and poor purposes is the same for boroughs as for townships.

School Taxes.

20. All property subject to State or county tax is taxable for school purposes, except "mortgages, judgments, and recognizances, and money due and owing on articles of agreement for sale of real estate," exempted.

by act of 1881. The directors of each district must levy and collect annually tax enough, with the State appropriation, to keep the schools thereof open not less than four nor more than ten months. They may also, once each year, levy and collect a special tax, not exceeding the amount of the regular annual tax for the same year, to be applied to purchasing grounds and erecting school-buildings. In levying taxes, school-boards are limited to the objects of taxation contained in the last adjusted valuation furnished them by the county commissioners.

Borough Taxes.

21. All property taxable for county purposes is liable to taxation for borough purposes, at a rate not exceeding five mills on each dollar of valuation, as assessed and adjusted for county purposes. But, in addition to this, each borough can levy and collect a tax on dogs each year, as follows: From the owner of but one dog, one dollar; from the owner of but one bitch, two dollars; and such additional tax from the owners of more than one dog or bitch as they may deem proper.

Property Exempt from Taxation.

22. The following property is exempt from all taxation: All churches, meeting-houses, or other regular places of stated worship, with the grounds thereto annexed, necessary for the occupancy and enjoyment of the same; all hospitals, universities, colleges, seminaries, academies, associations and institutions of learning, benevolence, or charity, with the grounds thereto annexed, and necessary for the occupancy and enjoyment of the same, founded, endowed, and maintained by public or private charity; and all school-houses belonging to any county, borough, or school-district, with the grounds thereto annexed, and necessary for the occupancy and enjoyment of the same; and all court-houses and jails, with the grounds thereto annexed: *Provided*, That all property, real or personal, other than that which is in actual use and occupation, for the purposes aforesaid, and from which any income or revenue is derived, shall be subject to taxation, except when exempted by law for State purposes.

CHAPTER XXXIV.

ELECTIONS.

When Held.

1. Two elections occur in the State in each year—the general election for State and county officers, members of Congress, and of the Legislature, and judges of the courts, and the spring election for city, ward, borough, and township officers. The general election is held on the Tuesday next following the first Monday of November, and the spring election on the third Tuesday of February.

What Officers Elected.

2. At the general election, a governor, lieutenant governor, auditor general, State treasurer, secretary of internal affairs, and judges of the supreme court are elected by the voters of the State at large. Common pleas, orphans' court, and associate judges, senators and representatives, and members of congress are elected in districts formed by the Legislature. Sheriffs, prothonotaries, registers of wills, recorders of deeds, clerks of the courts, county treasurers, district attorneys, coroners, county commissioners, county auditors, county surveyors, county solicitors, county controllers, jury commissioners, and other county officers, if any others are to be chosen, are elected in the several counties.

All city, borough, ward, and township officers, and school-directors, and poor overseers are elected at the spring election by the voters of the respective cities, boroughs, wards, and townships.

Who May Vote.

3. Every male citizen, twenty-one years of age, possessing the following qualifications, shall be entitled to vote at all elections:

First. He shall have been a citizen of the United States at least one month.

Second. He shall have resided in the State one year (or, if having previously been a qualified elector or native-born citizen of the State, he shall have removed therefrom and returned, then six months) immediately preceding the election.

Third. He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election.

Fourth. If twenty-two years of age, or upwards, he shall have paid, within two years, a State or county tax, which shall have been assessed at least two months, and paid at least one month, before the election.

Election Districts.

4. Townships, boroughs, and wards of cities or boroughs, constitute the election districts. Courts of quarter sessions have jurisdiction in the matter of forming or dividing districts. In cities of over a hundred thousand inhabitants, election districts shall be divided whenever at the next preceding election more than two hundred and fifty votes shall have been cast therein. All other districts may be divided whenever

the courts think it necessary for the public interest and the convenience of the electors.

Election Officers.

10. The officers for holding the elections in each district are a judge, two inspectors, and two clerks. The judge and inspectors are elected annually by the voters, at the spring election. Each elector may vote for a candidate for judge and one candidate for inspector. Each inspector appoints one clerk. Thus the leading political parties are nearly always represented on the election boards. Election expenses are paid out of the county treasury.

Manner of Voting.

11. All elections are by ballot. The clerks must keep a list of all electors, in the order in which they vote, with the number of each written opposite his name. Every ballot must be numbered to correspond with the number written opposite the name of the elector casting it. Any elector may write his name on his ballot. Election officers are sworn not to disclose how any elector may vote, unless required to do so as a witness in a judicial proceeding.

To Whom Returns are Made.

12. Election officers make their returns of the general elections to the prothonotary of the proper county, by whom they are laid before the court of common pleas on the second day after the election is held, for computation. After such computation, the certified result is forwarded to the Secretary of the Commonwealth by the prothonotary. Returns of the election of justices of the peace, aldermen, and magistrates are also made to the prothonotary. Returns of the election of township, ward, and borough officers, including school-directors and overseers, are made to the court of quarter sessions.

JUDICIAL DEPARTMENT.

CHAPTER XXXV.

THE SUPREME COURT.

1. The judicial power of the State is vested in a supreme court, courts of common pleas, oyer and terminer and general jail delivery, quarter sessions of the peace, orphans' courts, magistrates' courts, and such others as the Legislature may establish, including aldermen and justices of the peace.

2. The Supreme Court is the highest judicial tribunal in the State, and consists of seven judges, elected by the voters of the State at large for a term of twenty-one years, and cannot be reëlected. The judge whose commission will first expire is chief justice. Its jurisdiction extends over the whole State, and the judges are, by virtue of their offices, justices of oyer and terminer and general jail delivery in the several counties. They have original jurisdiction in cases of injunction, where a corporation is a party defendant, of *habeas corpus*, of *mandamus* to courts of inferior jurisdiction, and of *quo warranto* as to all State officers whose jurisdiction extends over all the State. They have appellate jurisdiction in all cases. In all cases of felony, homicide, and in such other criminal cases as may be provided by law, the accused, after conviction, may remove the indictment, record, and all proceedings into the Supreme Court for review.

3. No duties can be imposed by law upon the Supreme Court, or any judge thereof, which are not judicial, nor can any judge thereof exercise any appointing power except as provided in the Constitution. When two judges are to be elected at the same time, each voter shall vote for one only, and when three are to be elected, each voter may vote for two, and those receiving the highest vote shall be declared elected. If two or more are elected at the same time, they shall cast lots for priority of commission.

4. They must reside within the State during their continuance in office, and they receive an annual salary of \$8,000, with \$500 additional to the chief justice. They can receive no other compensation, fees, or emoluments of office whatever, nor hold any other office or appointment of profit under the United States, this State, or any other State, during their continuance in office.

5. In case of any vacancy happening in the court by reason of death, resignation, or other cause, it shall be filled by appointment of the Governor, until the first Monday of January next succeeding the first general election which shall occur three months or more after the vacancy occurs.

6. The judges shall render a written opinion in every case in which a judgment of reversal is rendered by them, and in such other cases as the majority of judges shall deem of sufficient importance.

7. For the purpose of holding the sessions of the court, and the better to accommodate all parties having causes to be heard therein, the State is divided into three districts, the *Eastern*, *Middle*, and *Western*. The judges have power to re-arrange these districts from time to time by transferring counties from one to the other, to change the return days in the several districts, and to change, increase, or diminish the number of weeks in the respective terms. This is done by rules adopted from time to time. The court may adopt such rules of practice in each district as it deems best, and the judges appoint a prothonotary for each district, who acts as clerk of the court and issues all its writs, process, &c., keeps its records, certifies records and papers, &c. He resides at the place where the court holds its sittings, and has charge of the seal and records for that district.

8. There is one term of the court held in each district yearly. The term for the Eastern district commences on the first Monday of January, and continues until the commencement of the term for the Middle district. The term for the Western district commences on the first Monday of October, and continues seven weeks. The term for the Middle district commences on the first Monday of May, and continues two weeks. The sessions for the Eastern district are held in Philadelphia; for the Middle district, in Harrisburg, and for the Western district, in Pittsburgh.

State Reporter.

9. The Governor appoints, for a term of five years, a State Reporter, of known integrity and learning in the law, to be sworn to the faithful discharge of his duties, and who must give bond to the State in \$2,000. He may be removed by the Governor for cause, or on address of the judges of the court in writing. He must attend all the sessions and consultations of the court, and under its direction report and prepare for publication its decisions; but, before publication, he must submit the syllabus of every case to the judge delivering the opinion, for correction and approval. His salary is \$3,000, and he must pay all fees received into the State Treasury.

CHAPTER XXXVI.

COMMON PLEAS AND OTHER COURTS.

Constitutional Provisions.

1. After the Supreme Court, the courts of common pleas come next in dignity and importance. They are organized in every county in the State, and bring the administration of justice almost to the door of every citizen. The common pleas judges are also judges of, and hold the courts of oyer and terminer and general jail delivery, the courts of quarter sessions of the peace, and the orphans' courts where no separate orphans' courts are established by law.

2. The State is divided into separate judicial districts, in each of which one judge is elected, learned in the law, for a term of ten years, and such additional law judges as the law provides. Every county containing forty thousand inhabitants, or more, forms a separate judicial district. Counties containing less than forty thousand inhabitants are formed into convenient single districts, or attached to contiguous districts, as the Legislature may provide. No district can contain more than four counties. In every county which does not form a separate judicial district, two associate judges are elected for a term of five years, who need not be learned in the law.

3. In Philadelphia county, there are four separate courts, of three judges each, with equal and coördinate powers, known as courts of common pleas, No. 1, No. 2, No. 3, and No. 4. Suits are brought without stating in which court, and the courts distribute the business as provided in their rules, but any cause once assigned to a particular court shall remain there. The same is the case in Allegheny county, but there are only two courts of three judges each. The number of these courts may be increased from time to time by law, and shall be designated by successive numbers. The number of judges in these or other courts may be increased from time to time, but whenever the increase shall amount to three, they shall form a separate court with a separate number. Each of these courts has a separate docket, but a common lien docket. They detail, from time to time, one of their judges to hold the courts of oyer and terminer and quarter sessions.

4. Common pleas judges, required to be learned in the law, are elected by the voters of their respective districts, and hold their office for ten years from the first Monday of January succeeding their election; but for any reasonable cause, not sufficient for impeachment, may be removed by the Governor, on the address of two thirds of each House of the Legislature. Should any two or more judges in any district be elected at the same time, they shall cast lots for priority of commission, and certify the same to the Governor, and he will commission them accordingly.

5. During their continuance in office, they can receive no other compensation, fees, or emoluments than the salary allowed them by law, nor hold any other office of profit under the United States, or this or any other State. They must reside within the district for which they are elected. Any vacancy happening by death, resignation, or otherwise in any court of common pleas shall be filled by appointment of the Governor, to continue till the first Monday of January next succeeding the first general election which shall occur three months or more after the vacancy occurs.

6. Besides all other powers conferred on courts of common pleas, they shall have and exercise such chancery powers as are now or may hereafter be conferred upon them by the Legislature.

7. The judges have power to issue writs of *certiorari* within their districts to justices of the peace, and other inferior courts not of record, and to cause their proceedings to be brought before them, and right and justice to be done.

8. Parties to any civil case may dispense with trial by jury by agreement, and submit the same to the court for decision, with the same right to a writ of error as in other cases.

9. Contested elections of presidential electors, members of the Legislature, and all State officers, judges, county, city, township, and borough officers, are tried in the courts of common pleas, and they appoint overseers of elections.

10. All laws relating to courts must be general and of uniform operation, and the organization, jurisdiction, and powers of all courts of the same class or grade, so far as regulated by law, and the force and effect of the process and judgments of such courts, must be uniform; and the Legislature cannot create other courts to exercise the powers vested in the courts of common pleas and orphans' courts.

Legislative Provisions.

11. The courts of common pleas have jurisdiction within their respective districts in all pleas, actions, suits, and causes, civil, personal, real, and mixed; and grant, under their seal, all lawful writs and process necessary for the exercise of such jurisdiction. Also, to award process to levy and collect such fines, forfeitures, and amercements as may be taxed, imposed, or adjudged by them. They can issue subpoenas into any county in the State for any witnesses, and have jurisdiction in the matter of granting divorces, and in all other cases provided by law. Indeed, the matters placed under the jurisdiction of the courts of common pleas by the Legislature are almost numberless.

12. The judges can fix the number of the terms of their courts, the time for holding them, the days on which writs and other process shall be returnable, and make rules regulating the practice in their courts.

13. Special courts may be held in any district in the following cases: Where the judge is interested in any cause; where any title in litigation has been made to or by the judge; where a near relative of the judge is a party to the cause; where the judge has been concerned as counsel in the cause. Any law judge may hold such special court in any other district.

14. Judges may direct that grand juries shall meet at a certain time before the regular meeting of court, and may detain them for an additional week without issuing new *venires*. They may also issue such number of *venires* for traverse juries as they deem proper, and make the *venires* for one or two weeks.

Courts of Oyer and Terminer.

15. The courts of oyer and terminer, held in every county by the common pleas judges, have power:

I. To inquire by the oaths and affirmations of good and lawful men (grand jurors) in every county of all crimes committed or triable therein.

II. To hear, determine, and punish the same, and to deliver the jails of such county of all prisoners therein, according to law. Hence they are also called courts of general jail delivery.

III. To try indictments found in the quarter sessions and certified by said court according to law; and this court shall have exclusive jurisdiction to try and punish all persons charged with the following crimes: 1, murder or manslaughter, or other homicide, or being accessory

thereto; 2, treason; 3, sodomy, buggery, rape, or aiding, abetting, or counseling in the commission thereof; 4, voluntarily and maliciously burning any building or other thing, made punishable as arson; 5, mayhem, or cutting off the tongue, putting out the eye, slitting the nose, cutting off the nose, cutting off a lip, cutting off or disabling any limb, or member of a person, by lying in wait, or with malice aforethought, and with intent in so doing to maim or disfigure such person, or aiding, abetting, or counseling in the commission thereof; 6, burglary; 7, the endeavor of any woman privately, either by herself or the procurement of others, to conceal the death of any issue of her body, male or female, which, if born alive, would be a bastard, so that it might not be known whether such issue was born dead or alive, or whether it was murdered or not; 8, receiving, harboring, or concealing any robber, burglar, felon, or thief, or receiving or buying any goods or chattels feloniously taken or stolen, knowing them to be stolen.

Courts of Quarter Sessions.

16. The courts of quarter sessions, held in every county by the common pleas judges, have jurisdiction:

I. To inquire by the oaths or affirmations of good and lawful men of the county, (the grand jury,) and to hear, determine, and punish in due form of law, all such crimes, misdemeanors, and offenses, whereof exclusive jurisdiction has not been given to the courts of oyer and terminer.

II. To take, in the name of the Commonwealth, all manner of recognizances and obligations heretofore taken and allowed to be taken by any justice of the peace; and they shall certify to the next court of oyer and terminer all such as shall be taken in relation to any crime cognizable in that court.

III. To continue or discharge the recognizances and obligations of persons bound to keep the peace, or to be of good behavior, taken by such court, or certified into it by any justice of the peace of the county, and to inquire of, hear, and determine all complaints founded thereon.

IV. They have jurisdiction in all cases of fines, penalties, or punishments imposed by act of Assembly for offenses, misdemeanors, or delinquencies, except where it is otherwise expressly provided.

V. They have and exercise such other jurisdiction and powers as may have been heretofore given them by law, or which may hereafter be conferred upon them. The jurisdiction of this court is very large. It is called the court of quarter sessions because its sessions were provided to be held quarterly, or four times a year.

Orphans' Courts.

17. The orphans' courts, to be held by the judges of the courts of common pleas in the several counties, have jurisdiction and power as follows:

I. In the appointment, removal, and discharge of the guardians of minors, and the settlement of their accounts.

II. In the removal and discharge of executors and administrators deriving their authority from registers of wills, and in the settlement of their accounts.

III. In the distribution of the assets and surplus of the estates of decedents, after settlement with creditors and others interested.

IV. In the sale of real estate of decedents.

V. In the partition of the real estate of intestates among the heirs.

VI. In the specific execution of contracts made by decedents to sell and convey any real estate of which they died seized.

VII. In proceedings for the recovery of legacies.

VIII. In all cases where executors, administrators, guardians, or trustees may be possessed of, or in any way accountable for, any real or

personal estate of a decedent. And in all other cases where jurisdiction may be given them by law.

18. In the counties of Allegheny, Berks, Luzerne, and Philadelphia, separate orphans' courts have been organized by the Legislature, with three judges in Philadelphia, two in Allegheny, and one each in Berks and Luzerne. These judges are elected in the same manner as common pleas judges, and for the same term. The register of wills in these counties is the clerk of the separate orphans' court; and these courts have power to make all rules necessary for the exercise of the power conferred upon them, which is the same possessed by the orphans' courts of the several counties of the State.

19. In counties where separate orphans' courts are established, all accounts filed in the office of the register of wills, or in the orphans' court, shall be audited by the court without expense to the parties, unless all parties in interest agree upon an auditor, whom the court may appoint in its discretion.

20. When necessary, any orphans' court judge may call on any other orphans' court judge, or law judge of any common pleas court in the State, to preside in his court, with the same force and effect as if he presided himself.

Salaries of Judges.

21. By the act of 1883, the annual salaries of the common pleas judges of the State were fixed as follows: Judges in Philadelphia, \$7,000; judges in Allegheny county, \$6,000; all other law judges, \$4,000, except the president judge of the Twelfth district, who receives \$1,000 additional for trying the Commonwealth civil cases: *Provided*, That in all districts having a population exceeding ninety thousand, and having but one judge, the salary shall be \$5,000 a year. In addition to this, they receive fifteen cents a mile for all necessary travel within their districts in performing the duties of their office; and no such judge appointed or commissioned after June 4, 1883, can receive any compensation or mileage other than this. Payable quarterly, by warrant of the Auditor General on the State Treasurer.

22. The salaries of orphans' court judges are the same as the salaries of the common pleas judges of the respective counties in which separate orphans' courts are established, and paid in the same manner.

23. The pay of associate judges not learned in the law is \$5 a day for every day spent in the discharge of their official duties, but the compensation of no such judge can be less than \$300 a year. Payable as the salaries of other judges.

Common Pleas Districts.

24. The State is divided into forty-nine common pleas districts, as follows, each district having one law judge, except where otherwise stated: 1st, Philadelphia, nine judges; 2d, Lancaster, two judges; 3d, Northampton, two judges; 4th, Tioga; 5th, Allegheny, six judges; 6th, Erie; 7th, Bucks; 8th, Northumberland; 9th, Cumberland; 10th, Westmoreland; 11th, Luzerne, two judges; 12th, Dauphin and Lebanon, two judges; 13th, Bradford; 14th, Fayette and Greene; 15th, Chester; 16th, Bedford and Somerset; 17th, Butler and Lawrence, two judges; 18th, Clarion and Jefferson; 19th, York; 20th, Union, Snyder, and Mifflin; 21st, Schuylkill, three judges; 22d, Wayne and Pike; 23d, Berks, two judges; 24th, Blair; 25th, Clinton, Cameron, and Elk; 26th, Columbia and Montour; 27th, Washington; 28th, Venango; 29th, Lycoming; 30th, Crawford; 31st, Lehigh; 32d, Delaware; 33d, Armstrong; 34th, Susquehanna; 35th, Mercer; 36th, Beaver; 37th, Warren and Forest; 38th, Montgomery; 39th, Franklin; 40th, Indiana; 41st, Juniata and Perry; 42d, Adams and Fulton; 43d, Carbon and Monroe; 44th, Sullivan and Wyoming; 45th, Lackawanna, two judges; 46th, Clearfield; 47th, Cambria; 48th, McKean and Potter; 49th, Centre and Huntingdon.

CHAPTER XXXVII.

JUSTICES OF THE PEACE, ALDERMEN, AND MAGISTRATES.

1. Justices of the peace, or aldermen, are elected in the several townships, wards, and boroughs of the State, at the spring elections. No township, ward, or borough shall elect more than two such officers, without the consent of a majority of the qualified electors thereof, given at an election for that purpose; and in cities containing over fifty thousand inhabitants, but one alderman shall be elected in each ward. They must have resided in the district one year immediately preceding their election. They are commissioned by the Governor, to serve for five years from the first Monday of May next succeeding their election.

2. Any vacancy occurring by refusal or neglect of the person elected to qualify, by death, resignation, or otherwise, shall be filled by the voters at the next election.

3. Elections may be contested in the court of quarter sessions, on petition of twenty-five citizens of the district, five of whom must swear that the facts set forth are true. In case of a contest, the old justice holds over till it is decided.

4. Justices and aldermen-elect must notify the prothonotary of their county, within thirty days after their election, of their intention to accept the office, when he immediately informs the Secretary of the Commonwealth, so that commissions may issue according to law. The commissions must be recorded in the office for recording deeds, in the proper county, and take effect from their date.

5. In Philadelphia, there are elected, in lieu of aldermen, one magistrate for every thirty thousand inhabitants, with police and civil jurisdiction, and for the same term as aldermen. They are elected on a general ticket, and each elector may vote for two thirds of the number to be elected at any one time. They receive a fixed salary, and all fees, fines, costs, &c., received by them are paid into the county treasury.

6. All justices, aldermen, and magistrates must keep their office within the township, borough, ward, or district for which they are elected. They must give such bond to the State as the law requires, not less than \$500, (unless they are freeholders,) approved by the court. An action may be maintained on this bond at any time within eight years.

7. The duties of a justice of the peace are numerous and varied. He is placed as a peacemaker between his neighbors, and not to "give them law," stir up strife, or make business for himself. He should see to it that the law is so administered as to bring to those in his district all that is good, and to forbid all that is wrong. He should be the man to whom the citizens would go for counsel and advice, and not as the avenger of the law.

8. Justices and aldermen have jurisdiction, concurrent with the courts of common pleas, of all actions arising from contracts, either express or implied, and of all actions of trespass and trover and conversion, where the sum demanded does not exceed \$300, except in cases of real contract, where the title to lands or tenements may come in question, or action on promise of marriage. They have no jurisdiction on a contract for the balance of purchase money due on land. In actions for rent in arrear, their jurisdiction is limited to \$100.

9. In criminal matters, they have jurisdiction in all cases to take information, issue warrants of arrest, hear the prosecutor and his witnesses, and, if probable cause appear against the defendant, to demand and take bail if the offense is bailable, or to commit to jail by warrant.

10. They also have jurisdiction in cases of offenses and misdemeanors, made such by act of Assembly, where they must be governed strictly by the law in each case. They have jurisdiction in cases of attachment of wages of persons for board not exceeding four weeks, and also in attachments generally.

11. Civil actions before a justice must begin by summons, except in cases of trespass or trover, or for recovery of money collected by a public officer, or for official misconduct. They must keep a docket, in which must appear the names of the parties to all actions, and a clear, brief minute of all the proceedings had, so as to be able to give a transcript when required.

12. Within twenty days after the judgment rendered, either party may appeal to the court of common pleas if the judgment is over \$5 33, exclusive of costs, by giving bail. In case the judgment be for \$5 33, or less, the case can be taken to the court on *certiorari* only, which goes only to the form and jurisdiction of the action, and not to its merits. In case of judgment by default, the defendant may ask for a rehearing within thirty days, on the ground of absence when the summons was served, or of sickness of himself, or that he was prevented from attending by some unavoidable cause.

When the defendant is a freeholder, or gives bail within thirty days, if the judgment is above \$5 33 and not more than \$20, execution shall be stayed three months; when it is above \$20 and not more than \$60, six months; when it is above \$60 and not more than \$300, nine months.

13. If the judgment is for \$5 33, or less, execution may issue at once. In cases of judgment on claims for work and labor done, execution may issue at once, unless the defendant files an affidavit that he has a just defense, and that he does not ask for an appeal for the sake of delay. In such case, he may have an appeal by giving bail for debt and costs.

14. In all cases of summary conviction before a justice, alderman, or magistrate, or of judgment in a suit for a penalty, either party may appeal to the proper court, on allowance of such court, on proper cause shown.

PART THIRD.

COUNTY AND TOWNSHIP OFFICERS.



COUNTY AND TOWNSHIP OFFICERS.

CHAPTER XXXVIII.

COUNTY OFFICERS.

Some General Remarks.

1. County officers in Pennsylvania are sheriffs, prothonotaries, clerks of the court of quarter sessions, clerks of the orphans' court, clerks of the court of oyer and terminer, registers of wills, recorders of deeds, treasurers, district attorneys, commissioners, auditors, poor directors, jury commissioners, coroners, and county surveyors, and such others as the law creates. They are chosen by the qualified voters at the general election, and hold their offices for three years from the first Monday of January next succeeding the date of their election. Vacancies are filled by election or appointment, as the case may be. No person is eligible to any county office unless he has been a citizen and inhabitant of the county one year.

2. Prothonotaries, clerks of the courts, registers, recorders, sheriffs, treasurers, and commissioners must keep their offices in the county seat. County officers receiving a salary must pay all fees received by them into the county or State treasury, as the law provides. In counties of over one hundred and fifty thousand inhabitants, all county officers are paid by salaries.

3. Any county officer who shall take or demand excessive fees, or fees other than those provided for by law, shall be liable to pay the party injured \$50, to be recovered as other debts of the same amount, on suit brought within six months after the act is done. And if any judge allows any officer any compensatory fees not specified in some act of Assembly in force at the time, it shall be considered a misdemeanor in office. Any person may refuse to pay fees to an officer until he makes out a bill of particulars and signs a receipt.

4. All officers whose fees are fixed by law must have their fee bills posted in a conspicuous place in their office for the inspection of the public; and any officer neglecting or refusing to do so is liable to a fine of \$10, and double the amount of any illegal fees charged, to be recovered as other debts.

Any officer willfully or fraudulently receiving or taking any reward or fee for executing his official duty not allowed by law, or more than the law allows, is guilty of a misdemeanor in office, and on conviction shall be liable to a fine of \$500, or imprisonment not exceeding one year, if indicted within two years after the commission of the offense.

5. The following is the oath required to be taken by all county officers:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity; that I have not paid or contributed, or promised to pay or contribute, either directly

or indirectly, any money or other valuable thing to procure my nomination or election, (or appointment,) except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this Commonwealth, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law."

Any person refusing to take this oath shall forfeit the office to which he has been elected, and any one convicted of swearing or affirming falsely in taking the same, or of violating it, shall be guilty of perjury, and be forever disqualified from holding any office of trust or profit within the State.

6. The "necessary and proper expenses" mentioned in the oath are declared by law to be, (1) printing and traveling expenses; (2) dissemination of information to the public; (3) political meetings, demonstrations, and conventions. The penalty for violating this law is a fine not exceeding \$1,000, and imprisonment not exceeding one year, both or either, at the discretion of the court.

Sheriffs.

7. The sheriff is the chief officer of the county. His duties are very important, though altogether ministerial. Before entering on the duties of his office, he must give bond to the State, with at least two sureties, to be approved by the court of common pleas of the county. After being recorded in the office for recording deeds, it is forwarded to the Secretary of the Commonwealth, in whose office it remains. This bond is to protect the State and all persons against any loss or injury on account of the sheriff's official conduct. It remains in force for ten years from its date. In Philadelphia only five.

The amount of the sheriff's bond throughout the State, except Allegheny and Philadelphia counties, is as follows: In counties having 50,000 and less than 150,000 inhabitants, \$25,000; in counties having 30,000 and not more than 50,000 inhabitants, \$15,000; in counties having 10,000 and not more than 30,000 inhabitants, \$10,000; in counties having less than 10,000 inhabitants, \$8,000.

8. In case of the death of any sheriff before the expiration of his term, or of his removal from office for any cause, the coroner of the county executes the duties of the office until he receives notice that another sheriff has been duly commissioned.

A vacancy in the office of sheriff is filled by appointment of the Governor, to continue until the next general election or until a successor is commissioned.

A sheriff cannot be reelected until three years from the expiration of his last term. Their accounts are settled annually by the county auditors.

9. It is the duty of the sheriff to serve and execute all process issuing from the courts of the county, or their proper officers, directed to him, in the manner provided by law, making such return thereof as the law directs. It is not our purpose to go into the details of his duties in this respect.

The sheriff of each county must give notice of the general election each year, either by advertisements posted in the most public places in every election district, or by advertisement in one or more newspapers in the county, to be published at least twenty days before the election. This advertisement is called the election proclamation, and must enumerate the officers to be voted for, designate the place fixed by law for holding the election in each district, and give notice what classes of persons cannot serve as election officers. Paid by the county.

10. Before selling personal property on an execution, the sheriff must give at least six days' notice, by not less than six hand-bills, posted at such places as he deems best suited to give notice of the sale.

Before selling real estate on an execution, he must give notice of the sale by a reasonable number of hand-bills, one to be fixed on the premises to be sold, and the others in the most public place in the county, at least ten days before the sale; these hand-bills must give notice of the sale, of the day and hour when, and place where, it will be, and what real estate is to be sold, and where it is situated. He must also give notice of the sale in at least two newspapers of the county, setting forth the same facts as in the hand-bills, to be published during three successive weeks before the sale.

The sheriff must execute a deed to the purchaser of all real estate sold by him, and deliver the same to him after it has been acknowledged in open court.

11. All notices to jurors are served by the sheriff. His duties relating to the selection of jurors and the execution of criminals must be done by him in person. These acts cannot be done by a deputy. All, or nearly all, other duties of the sheriff may be performed by a deputy, but the sheriff is responsible for the acts of his deputies in the line of his office.

12. Sheriffs and jailers have the custody of persons sentenced to imprisonment in the county jails, see that they are kept safely, and oversee and direct the labors of such as are required to labor. Sheriffs and jailers are required by law to make annual reports to the Board of Public Charities, giving the number of prisoners, and such other information as the blanks furnished them may require. In Philadelphia, there are many special laws relating to prisons and prisoners. Upon delivering prisoners to the penitentiaries, sheriffs must take receipts from the wardens, and return the facts to the court where conviction and sentence were had.

13. Persons sentenced to be hanged must be executed by the sheriff within the jail-yard of the county where convicted; and the sheriff shall invite a physician, the district attorney, and twelve reputable citizens, to be selected by him, to be present; and, at the request of the criminal, he shall permit not exceeding two ministers of the gospel, and any of his near relatives, to witness the execution; also, such of the sheriff's deputies as he may deem proper may be present. These persons, and no others, shall be allowed to witness the execution. After the execution, the sheriff must make oath or affirmation, in writing, that he executed the criminal, within the walls of the jail-yard, at the time designated by the death-warrant of the Governor, which paper shall be filed in the office of the clerk of the court of oyer and terminer of the county, and a copy thereof to be published in two or more newspapers of the State, one of which must be published in the county where the criminal was executed.

14. It is a misdemeanor for any sheriff to voluntarily allow any prisoner to escape, punishable by a fine not exceeding \$500, and imprisonment not exceeding five years, and to be dismissed from office. For gross negligence, whereby a prisoner escapes, a sheriff is guilty of a misdemeanor, and liable to a fine of \$500, and imprisonment not exceeding one year.

Any sheriff who shall willfully and without reasonable cause refuse to execute any lawful process directed to him requiring the arrest or confinement of any person charged with or convicted of a criminal offense, or shall willfully or without reasonable excuse omit to execute such process, whereby such person shall escape, shall be guilty of a misdemeanor, and, on conviction, be sentenced to an imprisonment of not exceeding two years, and a fine not exceeding \$500.

15. A fine not exceeding \$100, and imprisonment not exceeding one year, is the penalty for obstructing legal process, or assaulting an officer, or refusing to assist a sheriff in executing his office in any criminal case, or in preserving the peace when called upon, or for assisting in the rescue of a prisoner. For a statement of the salaries and fees received by sheriffs, see appendix.

Prothonotaries.

16. The prothonotary is the chief ministerial officer of the court of common pleas, and may be reëlected. In many counties, (the less populous ones,) he is also clerk of the court of oyer and terminer and quarter sessions, and of the orphans' court, as well as register of wills and recorder of deeds. In case of a vacancy in the office, it is filled by the voters of the county at the next general election, for a term of three years. In the meantime the Governor appoints.

Before assuming the duties of his office, he must give bond with one or more sureties, to be approved by the court of common pleas and the Governor, in such sum as the Governor shall determine, for the faithful performance of his duties, the proper disposition of all moneys coming into his hands, and the delivery of the books, seals, records, writings, and papers belonging to his office to his successor in proper condition.

17. Prothonotaries and clerks of the courts exercise in their several courts, in term time and vacation, the following powers:

I. Assign and affix the seal of the proper court to all writs and process, and to the exemplifications of all records and process therein.

II. Take bail in civil actions depending in the proper court.

III. Enter judgments, at the instance of plaintiffs, upon the confession of defendants.

IV. Sign all judgments.

V. Take the acknowledgment of satisfaction of judgments or decrees entered on the records of the court.

VI. Administer all necessary oaths and affirmations in conducting the business of their respective offices.

18. The prothonotary must keep an appearance docket, containing a concise statement, in proper order, of every action, amicable or otherwise, and a minute of every paper filed, motion, order, rule, or decree made in each case, in due sequence, and have the same ready for public inspection at all times. All judgments must be briefly entered by him in a separate docket for judgments only, indexed and adsected, with the names of plaintiffs and defendants alphabetically arranged, and the number and term written opposite each one.

All actions of ejectment must be entered in separate dockets, containing the proceedings in each case.

All writs of execution, with the proceedings returned thereon, must be recorded in a series of dockets kept for that purpose alone, arranged in proper order, and with references to the original number of the case, term, and year, and previous writs in the same case. All judgments satisfied must be so marked on the appearance and judgment dockets, and, if by execution, on the execution docket also.

The prothonotary must keep a separate docket for mechanics' liens, in which all proceedings relative thereto are entered. And he must keep such other books and dockets as the business of the court may require, including minute books, issue list, argument list, equity docket, etc.

19. All entries of judgments and awards, by the prothonotary, must be so made that one shall follow the other in the order of time in which they were rendered, entered, or filed, giving the names of the parties, term and number of the case, date, and amount of the judgment.

20. Prothonotaries may enter judgment on a note, bond, or instrument of writing containing a warrant for confession of judgment, for the sum stated on its face (during the life of the defendant) with such conditions as it sets forth, without the agency of an attorney, or declaration filed.

21. Each prothonotary must record, in a book kept for that purpose, all accounts of assignees, trustees, sequestrators, and committees, and all reports of auditors, and all accounts of distributions or appropriations by the sheriff.

22. They keep a partition docket, for the entry of all proceedings

relative to a proceeding for the partition of real estate. In short, they must keep, in proper form, in books or dockets prepared therefor, a full and accurate record of all the business transacted in their office, or by the court, necessary to be kept.

23. The prothonotary must enter, in a book kept for that purpose, the returns of general elections held in the county, and lay before the courts, at the time fixed by law, the returns to be computed by them; and after computation by the court, forward to the Secretary of the Commonwealth such returns as the law requires.

24. In counties with less than one hundred and fifty thousand and more than ten thousand inhabitants, they retain all fees allowed them by law to the amount of \$2,000, and necessary clerk-hire and stationery, and one half of all fees in excess of this amount; the other half of the excess fees is paid into the State Treasury. In counties with less than 10,000 inhabitants, they retain all the fees allowed them by law. For further information as to fees, see chapter XXXIII, and appendix.

25. A prothonotary has no right to receive payment of the debt and interest on a judgment. Such payment can only be made to the plaintiff, his attorney, or agent.

Clerks of Courts of Quarter Sessions and Oyer and Terminer.

26. Clerks of quarter sessions and oyer and terminer courts, when separate from the office of prothonotary, must have the same qualifications as other county officers, and are commissioned by the Governor. In case of a vacancy, it is filled by the voters at the next general election for three years, until which time it is filled by the Governor by appointment. They must give bond to the State in the same manner as prothonotaries.

27. Their general powers and duties are similar to those of the prothonotary, the difference being that while the prothonotary is the servant of the civil courts, they are the servants of the criminal courts. They keep the minutes and records of these courts, and must be present at the trial of cases therein, to administer oaths to jurors and witnesses, swear constables, take recognizances, etc. For list of crimes triable in the court of oyer and terminer, see chapter XXXVII.

When both offices are held by the same person, he must keep the records of the quarter sessions and oyer and terminer courts in separate and distinct dockets. The clerk of the quarter sessions must keep a road docket, wherein all proceedings relative to roads in the county must be entered, together with copies of the drafts of such roads.

28. When fines are imposed by the court for the use of the poor, the clerk of the quarter sessions must at once give written notice of the same to the constable of the township or borough interested, to be delivered by the constable to the poor overseers.

29. In case of application for license to sell liquor, the clerk of the court of quarter sessions, in whose office the applications are filed, must give three weeks' notice thereof, in two newspapers of the proper county or city, in a list containing the names of the applicants, their place of residence, and the kind of license applied for. On presentation to the clerk, by the applicant, of the treasurer's receipt for the license fee, the clerk shall issue to him his license certificate, and place the receipt on record.

30. The clerk of quarter sessions must file in his office the annual reports or statements of all township auditors placed in his hands; and he is required, within fifteen days after the returns of township elections are filed in his office, to certify to the county commissioners a list of all assessors elected in the county. He records all returns of township and borough elections.

31. The clerk of every criminal court is required by law to send to the Secretary of the Commonwealth, on or before the first day of Feb-

ruary in each year, a full statement in detail of the criminal business of his court for the year ending on the 31st day of December next preceding, showing the number of bills laid before the several grand juries during the year, the number of "true bills" found, the number "ignored," the number of "presentments" made, the number of cases tried, the number of convictions and acquittals, the number of *nol. pros.* entered, the nature of the offenses charged in the indictments, the number and amount of the recognizances forfeited, and such other information as they may think useful and proper to give.

Clerks of courts in all counties of less than one hundred and fifty thousand inhabitants retain all fees received by them to the amount of \$2,000 and necessary clerk-hire and stationery, and one half of all in excess of that amount, paying the other half into the State treasury.

Clerks of the Orphans' Courts and Registers of Wills.

32. Clerks of orphans' courts and registers of wills are really the same officers, are elected in the same manner as other county officers, are commissioned by the Governor, and give bond to the State in the same manner as prothonotaries. They keep the records and dockets of the orphans' court, in which are entered all its transactions pertaining to the appointment, accounting, and discharge of guardians, administrators, and executors, and all other matters relating to the settlement, sale, or partition of the estates of decedents.

33. They issue letters testamentary to executors, letters of administration, and certificates to guardians appointed by the court. Before granting letters of administration, they must require proof of the day and hour of the decedent's death, and take bond with sureties in double the value of his personal property from the applicant.

The following is the order of preference of persons entitled to administer on the estate of a decedent: First, the widow, if any; second, the next of kin entitled to the residue of his estate. The mother is entitled before a sister of the half blood. Among children, the right does not belong to the eldest, but the register may choose between them. A brother of the half blood precedes a sister of the whole blood. A son who is a litigant against the estate is not entitled, nor any one else having an adverse interest. Any one having a preference may renounce in favor of the next. If no one of kin desires to administer, a stranger may. Those nearest in consanguinity with the decedent have the preference, and males over females. The register may revoke letters improvidently granted. If decedent was a married woman, her husband is entitled to letters before all others. In all cases of administration with a will annexed, if there is a general residue of the estate bequeathed, the right to administer belongs to those entitled to the residue, and the register shall grant letters to such of them as he deems best qualified.

If the executors named in a will, or the persons entitled to letters of administration, are all under twenty-one years of age, the register may grant administration to any other fit person, to be terminated at the instance of any one of them on arriving at full age.

34. A will must be proved by the oaths of two or more persons who were present at its execution, or, in the absence or death of the subscribing witnesses, by proof of their handwriting. Witnesses need not always be subscribing witnesses. Any one who saw it executed is competent.

At the instance of any one interested, the register may issue a citation to any one having possession or control of a will to produce it for probate, and if they withhold it more than fifteen days after service of the citation, they may be indicted for a misdemeanor. He may likewise issue a citation to any person alleged to be competent to prove a will, and if he neglects or refuses to appear for more than five days, the register may issue an attachment to compel his appearance.

No nuncupative will can be proved, or letters testamentary issued thereon, till fourteen days after the testator's death, nor can such will be probated until process has been issued to call in the widow, if any, and others entitled to administer in case of intestacy, to contest the same if they wish. No testimony to prove such will can be received after six months from the time the will was made, unless such testimony, or its substance, was committed to writing within six days after the making of the will.

35. Copies of wills and testaments proved in any other State or county, according to the laws thereof, duly authenticated, may be probated before any register, in the manner prescribed by law.

36. In case of a contest about the legality of a will, if a *caveat* is entered in writing against the register granting letters testamentary, he must enter a precept to the court of common pleas of the county where the legality of the will will be tried.

37. Letters testamentary and letters of administration are grantable only by the register of the county in which was the family or principal residence of the decedent at the time of his decease, or if he had no such residence, then by the register of the county where the principal part of his goods and estate are. When the executors named in a will renounce or refuse to act, the register may grant letters with it annexed to the persons legally entitled if no will had been made, taking sufficient security.

There are many other things connected with the granting of letters testamentary and letters of administration which we have not room to mention.

38. The register must give notice by advertisement in two newspapers of the county of all accounts of executors, administrators, and guardians, filed in his office for settlement, giving the names of the accountants and the capacity in which they are acting, and stating that their accounts will be presented to the orphans' court at a certain date for confirmation. This notice must be given at least once each week for four weeks before the session of the court at which the accounts are to be presented for confirmation. After being confirmed, these accounts and the proceedings had on them, with auditors' reports, are recorded by the register in a book kept for that purpose.

39. He must keep a minute-book, properly indexed, showing what papers are filed in his office, what collateral inheritance tax has been paid, and on what estates. He collects all collateral inheritance tax due the State from estates settled through his office, retaining five per cent. for his services, and making report to the Auditor General. All estates of over \$250 in value, passing by will or under the intestate laws to any person other than the father, mother, husband, wife, son's wife or widow, or lineal descendants of the deceased, born in lawful wedlock, are subject to a collateral inheritance tax of five per cent., to be paid to the State.

40. Registers are required to make and certify, under the seal of their office, true copies of all papers and proceedings in their office relating to any estate, when required by any person having an interest therein, and for the fees allowed by law; and for a neglect or refusal to do so, after tender of the legal fee, shall be deemed guilty of a misdemeanor in office.

41. When a will is probated before a register, containing a bequest or legacy to a public corporate body, he must notify such body, within six months, of the amount and nature of the bequest, giving the names of the executors.

42. Registers of wills and clerks of the several orphans' courts must render an annual account to the Auditor General, and pay all money received by them and belonging to the State into the State Treasury.

In all counties having less than \$150,000 inhabitants, they retain all fees received by them to the amount of \$2,000 and necessary clerk-hire and stationery, and one half of all in excess of that amount, paying the other half into the State Treasury.

Recorders of Deeds.

43. Recorders of deeds are qualified in the same manner, with the same remedies against them as against sheriffs, and before assuming the duties of the office, must give bond to the State in the same manner and with the same conditions as prothonotaries.

44. After they have recorded any deed, or other instrument of writing, which, by the laws of the State, are allowed to be recorded in their office, they shall certify on the back thereof, under their hand and the seal of their office, the day on which it was entered, and the name or number of the book or roll in which it is entered.

Deeds brought in for record must be entered in the order of presentation, and the recorder must note, in a book kept for that purpose, a description of every such deed, or other instrument, as soon as it is handed to him, with the date when presented. He must also give to the person leaving it for record a receipt containing this minute, without fee. For every neglect or refusal to comply with this requirement, he is liable to a fine of one hundred pounds, half to the Commonwealth and half to the person aggrieved. Pound, \$2 66.

45. Every recorder appointing a deputy makes himself and his sureties accountable for the acts of such deputy.

46. All recorders have authority to take acknowledgments of deeds and all other writing required to be acknowledged before an officer.

47. In all counties having less than one hundred and fifty thousand inhabitants, they retain all fees received by them to the amount of \$2,000 and necessary clerk-hire and office expenses, and one half of all in excess of that amount, paying the other half into the State Treasury.

County Treasurers.

48. Before entering upon the duties of his office, the county treasurer must give bond, with one or more sureties, to be approved by the court of quarter sessions of the county, in such sum as the court shall deem sufficient, for the faithful discharge of his official duties and the proper disposition of all moneys coming into his hands. This bond is acknowledged and recorded by the recorder of deeds of the county, and the original is transmitted to the Auditor General. The treasurer cannot be reelected until three years after the expiration of his last term of service. No judge, clerk or prothonotary of any court, register of wills, recorder of deeds, county commissioner, or county auditor, is eligible to the office of county treasurer during their continuance in office, nor is any person who has been county commissioner eligible until one year after his term has expired in said office.

49. When a vacancy occurs in the office of county treasurer, the county commissioners fill it by appointment, and the appointee must give like bond, and be subject to the same duties and penalties, as if he had been elected by the people. If the commissioners appoint a person incapable of holding the office, they are guilty of a misdemeanor, and liable to a fine of not less than \$30 nor more than \$300.

Every treasurer must give bonds to the State and to the county commissioners, with satisfactory sureties, in such sum as the law requires, for the proper discharge of his duties and faithfully accounting for all moneys, etc., to be recorded in the office for recording deeds. A failure to transmit the proper bond to the Auditor General within one month after assuming his office will forfeit the same. If any of his sureties become insolvent, or are in failing circumstances, or die, or abscond, new bonds and sureties may be required by the State Treasurer and county commissioners.

50. He receives and has the custody of all moneys paid to the county, and pays out the same on warrants or orders drawn by the county commissioners. He must keep a just and true account of all moneys received and disbursed by him, which is at all times open to the inspection

tion of the board of county commissioners, or any one of them. At the end of every three months, and oftener if required, he must furnish the county commissioners with a statement of all moneys received and disbursed since the date of his last statement, exhibiting the balance remaining in his hands, and giving the names of all collectors in whose hands any arrearages of taxes remain, with the amount in each case. At the close of each year, he must lay his whole account before the county commissioners for examination, to be laid by them before the county auditors for settlement according to law.

51. County treasurers are required to keep separate accounts of all moneys received for the use of the State, and on the first of January, April, July, and October, they must pay to the State Treasurer all moneys in their hands belonging to the State. (This also applies to all other county officers.) On failure to make such quarterly accounts and pay over all moneys in his hands, for a period of ten days after the first Monday of each quarter, he may be proceeded against as a defaulter, and be removed by the court.

52. On complaint of the county commissioners that the county treasurer is embezzling or improperly using the public funds, or that his sureties are insufficient, he may be required by the court to give additional security or be removed from office. If convicted of misusing the public moneys, he is liable to the penalties attached to embezzlement—fine and imprisonment.

53. Their compensation, when not regulated by any special act of Assembly, is a certain rate per cent. on all moneys received and paid out by them for the county, to be fixed from time to time (not oftener than once in each term) by the county commissioners, with the approbation of the county auditors.

Their compensation for moneys received by them and paid to the State is as follows, on each separate account they are required to keep and settle: Five per cent. on the first thousand dollars, one per cent. on the second thousand dollars, and one half of one per cent. on all sums over two thousand dollars.

54. Any county treasurer neglecting or refusing to perform any duty required of him by law, shall, on conviction, be forthwith removed from office, and fined not exceeding \$300. For making profit out of public money, they are liable to indictment as for embezzlement, and, on conviction, may be fined equal to the sum of money embezzled, and be imprisoned not exceeding five years, and shall be dismissed from office.

55. On the first of June in each year, they must make a list of all persons who have not paid their mercantile or other license assessed by the mercantile appraiser, and if the same be not paid on or before the first of July, they must bring action therefor before a justice of the peace, and press the same to judgment and execution as soon as practicable. On the last day of December of each year, they must make an account to the Auditor General, under oath, of all moneys received by them for the use of the State, and a failure to do so subjects them to indictment for a misdemeanor in office and a fine of \$100.

56. It is their duty to collect the taxes assessed on all unseated lands in the county, when the same are not paid to the several tax collectors, as well as on seated lands on which the tax cannot be collected by the tax collectors. This is done by exposing such lands to sale every second year, after first giving public notice of the same by advertising in two newspapers of the county. Such advertisements must be published at least four times, and the first publication must be sixty days before the day of sale. The advertisements must give notice of the time and place of sale, and must state where each tract is located, the number of acres it contains, the names of the warrantees or owners, and the amount of taxes due on each tract.

57. This sale commences on the second Monday of June, and is continued from day to day until all the lands have been sold for enough to

pay the taxes due and the expenses of sale. Any tracts that will not sell for enough to pay taxes and expenses are usually bid in by the county commissioners. To each purchaser the treasurer executes a deed in fee simple. If at any time within two years after such sale, the owners of such lands shall pay to the county treasurer the amount of taxes for which they were sold and expenses of sale, with twenty-five per cent. added thereto, the lands shall be returned to them. The twenty-five per cent. to be paid by the owners of the lands goes to the purchaser at the treasurer's sale for the use of his money; the taxes go to the county and the townships where the lands are located; and the expenses go to the treasurer as fees. If the tracts purchased by the county commissioners are not redeemed within the time fixed by law, they are sold by them, after being again advertised, and the purchaser takes an absolute title. Unseated lands of minors may be redeemed at any time within two years after they come of age.

In a few counties, this general law, relative to the sale of lands by county treasurers for taxes, is modified by special acts of Assembly. There are many questions connected with the subject that we do not touch, giving only the general outline of the treasurer's duty.

By an act approved June 6, 1879, certain duties are imposed on county treasurers relative to receiving and disbursing military funds. When no military organization exists in the county, this money is to be distributed to the school-districts, in proportion to the number of taxables therein for school purposes.

The treasurer must pay to the State all taxes due for bonds issued by the county.

County Commissioners.

58. The most important county officers in Pennsylvania, to the people of the county at large, are the county commissioners. They have charge of the general finances and business affairs of the county, and their administration directly affects every citizen and taxpayer, as well as the credit and prosperity of the county at large. The greatest care should always be taken to place in this office men of good judgment and good business qualifications, as well as men of the highest integrity.

In electing county commissioners, each elector may vote for two, and the three receiving the highest number of votes are chosen. In case of a failure to elect, by reason of a tie vote or otherwise, or of a vacancy occurring at any time, the vacancy is filled by the court of common pleas, until the end of the term, by the appointment of an elector who voted for the commissioner whose place is to be filled. They are not commissioned by the Governor. They must give bonds for the use of the county, to be approved by the court of quarter sessions, in a sum not less than \$2,000 each, to be recorded in the office for recording deeds, and the originals filed in the quarter sessions court. Two of them shall form a board to transact business. A single commissioner can only act by authority of the board.

59. They appoint a suitable person as clerk, who keeps the books and accounts of the board, records or files their proceedings and papers, attests all orders and warrants issued by them, and discharges all other duties required of him. For these duties he receives such salary as the commissioners shall fix at their first meeting in each year. Copies of their proceedings, certified by the clerk, are evidence in any court in the State. The commissioners, as well as the clerk, have authority to administer oaths and affirmations in all matters pertaining to their official business.

60. At their first meeting in each year, they appoint an attorney for the board, a janitor for the court-house, and a physician for the jail, and fix their compensation. And just before the close of December of each year, they appoint a mercantile appraiser for the county.

61. At their first meeting after the general election in each year, they make an estimate of the probable expenses of the county for the next

year, and as soon as practicable after the election of assessors in the various districts, issue to them their precept for the assessment.

After assessors have returned their assessments, the commissioners have power to revise and correct them, by raising the valuation where it is too low, or lowering it where it is too high. On these adjusted valuations, the commissioners assess the county tax, apportioning to each district its share, according to its assessed valuation, but no tax can exceed one cent on the dollar on such valuation in any one year.

The commissioners must assess and have collected all State taxes apportioned to the county by the board of revenue commissioners, and if the whole sum thereof is not collected and paid into the State Treasury before the second Tuesday of January of each year, the balance must be paid out of the county treasury. The commissioners must make a return of all taxable property in the county to the Auditor General in each year of the triennial assessment.

62. After the valuation has been made and each person notified of his assessment, the commissioners fix a time for holding appeals, and give notice thereof by advertisement in one or more newspapers of the county, for at least three weeks before the time fixed therefor, of the time and place for holding the same. In the triennial assessment year, these appeals are held in the various districts of the county, for the convenience of the taxpayers; but in other years they are held in the commissioner's office. The assessors must attend the appeals. At these appeals, any mistakes, irregularities, or injustice in any assessment may be corrected by the commissioners, but no abatement can be made in the valuation of real estate in any year but that of the triennial assessment, except when buildings or other improvements have since been destroyed. Corrections may be made in assessments by the commissioners at any time when they are in session previous to the payment of the tax.

63. After the appeals are over and the corrections made in the assessments, the commissioners make out the tax duplicates for the several districts, and place them in the hands of collectors, appointed by themselves from the persons returned by the several assessors for that purpose, but they are not confined to these names. The collectors give bail in such amounts as the commissioners fix. Collectors receive from the commissioners a warrant authorizing them to collect the tax, and empowering them to collect the same by distress, if necessary. Any person refusing or neglecting to serve when appointed tax collector is liable to a fine of \$50, unless he has served as such within ten years. The names of all collectors, and the amount of each duplicate, must be furnished to the county treasurer.

64. The commissioners shall at all times make abatements and exonerations to collectors for mistakes, indigent persons, unseated lands, &c., keep a record of the same, and give the collectors certificates thereof, to enable them to settle with the county treasurer.

65. All taxes are a first lien on the real estate on which levied, and collectors must return to the county commissioners, on or before January 1 of each year, a list of all delinquents in their district, with a description by bounds of the property against which they are assessed, to be entered by the commissioners in a tax-lien book kept by them, after which taxes so entered shall be a lien for two years.

66. The county commissioners constitute a board of revision of assessments for the county. As soon as the several assessors have made their returns, they must make out, and publish in not less than two newspapers, for two weeks, a statement showing the aggregate value and assessments made by each assessor in the county, upon all property taxable by law for county purposes, specifying each class; and also showing the whole amount of taxes assessed on each district. And at the same time they must give notice of a day, not later than thirty days from this notice, for finally determining whether any of the valuations of the assessors have been made below a just rate. (This applies to the triennial assessment.)

This board of revision must examine and inquire whether the assessments have been made according to law, whether all property has been valued at a sum not less than it would bring, after full public notice, at a public sale, supposing it were to be sold. They shall receive and consider any written communication of any taxable of the county, relative to any property alleged to be valued too low. If they cannot conclude this duty on the day appointed, they adjourn from day to day until it is discharged. For the proper discharge of this duty they must be sworn by the prothonotary.

67. The erection of all public buildings of the county, as court-houses and jails, is under the direction of the county commissioners, as regulated by law. But no public building can be erected, nor any alteration, enlargement, or addition be made thereto without the consent of the grand jury being first obtained. When necessary for the erection of public buildings, they may borrow money under the restrictions imposed by law, and issue bonds therefor, at a rate of interest not exceeding six per cent.

They have charge of all matters relating to the erection and maintenance of county bridges, giving contracts therefor, and issuing orders on the county treasurer to pay for the same. In some counties, there are special provisions of law relative to keeping county bridges in repair. Commissioners cannot give contracts for the erection of public buildings, bridges, etc., without first advertising for sealed proposals for the same. No commissioner can be concerned either directly or indirectly in any public contract.

68. The commissioners must publish once a week for four successive weeks in February of each year, a full and accurate statement of the receipts and expenditures of the county for the preceding year, ending with December 31, in one or more newspapers of the county. This statement must show the sums paid by each district into the county treasury, and specify the sums paid for support of prisoners, the insane, the pay of the commissioners and their clerk, erection and repair of bridges, interest on the county debt, election expenses, and all other classes of expenditures, giving each class separately.

69. The commissioners must send to the Secretary of Internal Affairs, on the first of June of each year, a tabular statement of all property in the county taxable for county purposes, showing the real and personal in separate columns, and showing the tax assessed for county purposes, and the debt of the county.

70. If they neglect or refuse to perform any official duty, they are each liable to a fine of \$100; and a neglect or refusal to perform the duties required of them in the assessment or collection of any tax imposed by law makes them liable, on conviction, to a fine of not less than \$50 nor more than \$200.

It is their duty to guard well the county treasury, and see that not a cent is paid out that is not authorized by law. To this end they should employ as their counsel an experienced attorney, and consult him in all cases where any doubt arises in their minds as to the liability of the county. Caution should be observed in the payment of costs in Commonwealth cases.

71. The commissioners must furnish to the election officers of every district in the county a sufficient and properly-arranged ballot-box, to receive and hold the ballots cast at any election therein, as well as all necessary papers and blanks for holding the election and making the proper return thereof. This for both general and township elections. They must also furnish to the court of common pleas of the county the blanks required by law for making the returns of the county for State, judicial, and county officers.

The expenses of all elections are borne by the county, and it is the duty of the commissioners to furnish to every election board all necessary stationery, blanks, and instructions to election officers, and they should see that every board is furnished with a copy of a full and com-

plete digest of the election laws of the State. They fix the amount to be paid for room-rent, light, fuel, and incidental expenses of the different boards, and issue orders therefor on the county treasury.

72. When any person is convicted of wantonly and willfully setting fire to any woodlands, the county commissioners shall pay to the prosecutor \$50 out of the county treasury, for the arrest and conviction of the offender, to be collected from the defendant as other costs.

73. On the recommendation of two thirds of the poor overseers of any county presented to the court of quarter sessions, the question of purchasing lands and erecting a county poorhouse shall be submitted to the voters of the county, and if a majority of votes shall be cast therefor, the county commissioners shall proceed to purchase the necessary lands, and erect suitable buildings for the proper accommodation of the paupers of the county. When a county is thus erected into a "poor-district," the office of poor overseer in the several districts thereof shall cease, the poor shall be cared for and supported in the county poorhouse, and the county commissioners shall have the care, management, and direction thereof. The treasurer of the county shall be the treasurer of the poor-district, and shall receive and keep all moneys belonging to the district, and pay out the same on orders drawn by the commissioners. His accounts therefor shall be audited by the county auditors, as his other accounts.

The compensation of county commissioners was fixed, in 1834, by act of Assembly, at \$1 50 per day. Since then special laws have been passed, fixing their pay in every county in the State, except perhaps one or two. Where they do not receive an annual salary, their average pay is about \$3 00 a day, paid by orders drawn on the county treasurer by themselves. As to their pay in the several counties, see appendix.

County Auditors.

74. Three county auditors are elected in each county every third year, in the same manner as county commissioners, and any vacancy in the office is filled in the same manner, until the end of the term.

No person holding the office of poor overseer, prison inspector, controller of public schools, member of the board of health, or who is employed in the Sheriff's office, county commissioner's office, county treasurer's office, and no county treasurer, during his term of office or within two years after, is eligible to the office of county auditor. The penalty for neglecting or refusing to serve when elected or appointed is \$100. Their pay was fixed at \$1 50 a day by a law passed in 1834, but since that time special laws have been passed for most of the counties, increasing their pay to an average of about \$2 50 a day. Their pay, and all expenses incident to their duty, including the clerk employed by them in making the annual settlement with the county officers and of the county finances, is paid by orders drawn on the county treasury by the commissioners. As to their pay in the several counties, see appendix.

75. They are required to meet on the first Monday of January in each year, and at such other times as they may deem it necessary, to audit, settle, and adjust the accounts of the commissioners, treasurer, sheriff, and coroner of the county. Any two, duly convened, shall constitute a quorum for the performance of their official duty. After having audited these accounts, they must make report thereof in proper form to the court of common pleas, together with a statement of the balance due from or to each officer. They must also audit and adjust the accounts of the county treasurer with the State Treasurer, for all moneys received for the use of the State, and make a report thereof (separate from the county report) to the court of common pleas, showing the balances owing by or to the treasurer; and within ten days after preparing such report, send a certified copy thereof to the Auditor General.

76. That they may properly discharge this duty, they have power to issue subpoenas to these officers, their executors and administrators, and

all other persons needed as witnesses, and to compel their attendance by attachment; and in like manner to compel the production of books, papers, and vouchers relating to such accounts. These subpoenas and attachments are served by the sheriff or coroner.

They have authority to administer oaths and affirmations in all matters before them, and witnesses swearing falsely are guilty of perjury. They have authority to commit any person to jail who appears before them and refuses to be sworn or affirmed when required.

It seems to be customary in most counties to include the accounts of the prothonotary, clerks of the courts, and district attorney in the annual settlement. By act of 1879, they are required to audit the accounts of directors of the poor, and treasurers and stewards of poorhouses.

District Attorneys

77. A district attorney is elected for each county every three years. He is qualified like other county officers, and is ineligible to any other office during his term, except in the militia. In case of a temporary vacancy, the court appoints for the time of the vacancy, but in the event of death or removal the court appoints until the end of the term.

The duties of district attorneys relate almost entirely to prosecutions under indictments. They represent the Commonwealth in all trials of persons for crimes and misdemeanors. They are compensated by fees fixed by law. See appendix.

Coroners.

78. A coroner is elected in each county for three years. Before he can be commissioned or enter upon his duties, he must give bond in one fourth the sum required of the sheriff, to be approved by the court of common pleas, to "well and truly perform all and singular the duties to the said office of coroner appertaining." The bond must be recorded in the county, and then be sent to the Secretary of the Commonwealth. On the death or removal of the sheriff, the coroner shall fill the vacancy. If any person elected coroner neglects to assume the duties of the office, it shall be treated as vacant, and filled by appointment of the Governor.

79. It is his duty to inquire into the cause and manner of the death of any person who is slain or dies suddenly in prison. To aid him in the inquest, he shall summon a jury of six good citizens of the county, to be sworn by him, to make inquisition, and finding according to the evidence adduced before them. The inquest must be held over the body. If the body cannot be found, no inquest can be held. The coroner must hear evidence on all hands, under oath, if offered. If the body be interred before the coroner comes, he must have it raised, which can be done within fourteen days or any convenient time. He must execute his office in person, and not by deputy. In case of an unnatural death, it is the duty of the district authorities to notify the coroner, under penalty of indictment for neglect. The inquest must be held at the place where the death happened.

80. If any one be found guilty of homicide by this inquest, the coroner shall commit him to prison for trial. The whole of the inquisition shall be certified under the hands and seals of the coroner and the jurors, together with the evidence thereon, to the next court of oyer and terminer and quarter sessions of the peace.

In Philadelphia, the coroner need not hold an inquest except in case of violent death, or of less than twenty-four hours' illness, when no physician has attended.

In a few counties in the State, coroners are authorized by law to appoint deputies. Their compensation is by fees. In the absence of the coroner, an inquest may be held by a justice of the peace. For salaries and fees, see appendix.

County Surveyors.

81. A county surveyor is elected in each county every third year, in the same manner as sheriffs. A duplicate return of their election, as well as a certified copy of their oath of office, must be filed in the office of the Secretary of Internal Affairs. The court of quarter sessions, on cause shown, has power to remove a county surveyor for neglect, refusal, incompetency, or inability to perform the duties of his office, or on conviction of an infamous crime or misdemeanor. They serve until their successors are qualified, but in case of a vacancy in the office, the court of quarter sessions fills it by appointment until the end of the term. Their duties relate mainly to the survey and location of lands in the county claimed or owned under warrants from the State, and they are compensated by fees. As to salary and fees, see appendix.

Jury Commissioners.

82. Two jury commissioners are elected in each county every three years, each elector voting for but one. Their duties relate entirely to the selection of persons to serve as jurors in the several courts.

83. At least thirty days before the first term of court in each year, the jury commissioners of each county and the president judge, or additional law judge of the district, or a majority of them, meet at the county seat and select, alternately, from the list of qualified electors of the county a sufficient number of sober, intelligent, and judicious persons to serve as jurors during that year.

These names are written on slips of paper, with the occupation and residence of the persons, folded and placed in the jury wheel which is then locked by the sheriff and secured with sealing-wax, on which is placed the impression of the seals of the commissioners and the sheriff. The wheel is then placed in the custody of the county commissioners and the Sheriff retains the key.

84. When the sheriff receives from the proper court a writ of *venire*, directing him to summon a certain number of jurors for the next term of court, he notifies the jury commissioners, and they, without delay, draw from the wheel, after turning it so as to thoroughly intermix the names, as many names as the writ requires, destroying the slips drawn containing the names of persons known to be dead or absent. Neither the commissioners in the absence of the sheriff, nor the sheriff in the absence of the commissioners, shall open the wheel at any time; nor shall any or all of them open it at any time except to deposit names therein, or draw a panel or panels of jurors therefrom, under a penalty of \$500.

85. If the array has been quashed by the court for any irregularity, or on account of an unwarranted interference with the wheel, the jury commissioners and the judge, before mentioned, or a majority of them, shall meet at the county seat at least thirty days before the next term of court, and take out of the wheel all the names found therein, and make a new selection and put them in it for the balance of the current year.

86. The jury commissioners and the judge filling the jury wheel, must make and certify a list of the names placed in it by them, giving the name, residence, and occupation of each person, to be filed of record in the office of the prothonotary.

87. The names of privileged or exempted persons shall not be placed in the wheel, and the names of defaulting or excused jurors shall be returned thereto. Persons are liable to serve as jurors but once in each year, and the penalty for putting them in and drawing them more than once in a year is from \$10 to \$30.

88. The first twenty-three names drawn from the wheel each court constitute the grand jury, and the remaining names form the traverse jury.

89. The jury commissioners must furnish two lists of names of jurors drawn, in alphabetical order, one for the sheriff and one for the prothonotary. The sheriff must summon the persons on the list at least ten days before the return day of the *venire*, and both lists must be posted in the respective offices of the sheriff and prothonotary for the inspection of the public.

90. Jury commissioners must serve, under a penalty of \$100. A vacancy in the office is filled by the president judge of the court. The pay of jury commissioners is \$2 50 a day, and mileage of four cents a mile circular. Their oath of office, after being signed by them, is filed in the office of the prothonotary.

Directors of the Poor.

91. In several counties of the State, there are poorhouses, called homes for the destitute, managed by three officers called "directors of the home for the destitute," one to be elected each year by the voters of the county, at the general election. They have power "to make and ordain such ordinances, rules, and regulations as they shall think proper, convenient, and necessary for the government, control, and support of these homes, and of the revenues thereto belonging, and all such persons as shall become inmates thereof, not contrary to law;" the rules to go into effect after being approved by the courts of quarter sessions of the respective counties.

These directors receive and hold all the real estate belonging to these homes, and manage them in all respects as directed by law, receiving and caring for such indigent poor as may be committed to the homes from time to time by any two justices of the peace, in the manner prescribed by the act of Assembly. They cannot be interested in any contract for furnishing supplies for the maintenance of the poor, or for the construction or improvement of the property under their control, under penalty of a fine not exceeding \$500 and removal from office. They receive an annual salary of \$100, and must each give a bond for the proper discharge of their duties, to be approved by the court of quarter sessions.

Mercantile Appraisers.

92. On or before the 30th day of December of each year, the county commissioners of each county appoint a mercantile appraiser for the county for the next year. In Northampton and Philadelphia counties, they are appointed by the court of common pleas, and in Allegheny and Philadelphia counties the appointment is made in January.

93. It is the duty of the mercantile appraiser, after being duly sworn, to ascertain and assess all dealers in merchandise whose sales exceed \$1,000, (and *feme sole* dealers whose sales exceed \$2,500,) brewers, distillers, keepers of billiard saloons, bowling alleys or pool-rooms, brokers, auctioneers, wholesale liquor dealers, tavern keepers, restaurant or eating-house keepers, as directed by law. This appraisement is made during the first three months of the year. The appraiser must personally visit the place of business of every person assessed, and prepare and arrange his list according to the several classes, separating all the classes, and stating the township, borough, or ward where each one is located. When the appraisement is made, he must furnish to each person or firm assessed a written or printed notice of their classification, which must also state the time and place of holding the appeal. He receives for his services fifty cents for each license granted in the county, to be collected and paid to him by the county treasurer, and mileage at the rate of six cents for every mile traveled by him necessarily in making the appraisement. The mileage is paid by the warrant of the Auditor General on the State Treasurer, issued on sworn accounts made to the Auditor General.

94. After the appraisement has been completed, and the classification made according to law, the mercantile appraiser must cause it to be published in two newspapers of the county, representing different political interests, selecting one of each party having the most general circulation. If a German paper is published in the county, then the publication shall be in three papers, one of which must be German.

95. Retailers of merchandise are classified and pay licenses as follows :

<i>Class.</i>	<i>Sales not exceeding</i>	<i>Tax.</i>
14,	\$5,000 00	\$7 00
13,	10,000 00	10 00
12,	15,000 00	12 50
11,	20,000 00	15 00
10,	30,000 00	20 00
9,	40,000 00	25 00
8,	50,000 00	30 00
7,	60,000 00	40 00
6,	75,000 00	50 00
5,	85,000 00	60 00
4,	100,000 00	80 00
3,	200,000 00	100 00
2,	300,000 00	150 00
1,	500,000 00	200 00
A,	1,000,000 00	350 00
B,	2,000,000 00	450 00
C,	3,000,000 00	600 00
D,	4,000,000 00	800 00
E,	5,000,000 00	900 00
F, exceeding	5,000,000 00	1,000 00

Brewers and distillers are classified and taxed as follows :

<i>Class.</i>	<i>Sales not exceeding</i>	<i>Tax.</i>
9,	\$1,000 00	\$15 00
8,	5,000 00	25 00
7,	10,000 00	40 00
6,	15,000 00	50 00
5,	20,000 00	60 00
4,	30,000 00	80 00
3,	50,000 00	100 00
2,	75,000 00	150 00
1,	100,000 00	200 00

Tavern-keepers are classified and taxed as follows :

<i>Class.</i>	<i>Sales not exceeding</i>	<i>Tax.</i>
5,	\$4,000 00	\$50 00
4,	6,000 00	100 00
3,	8,000 00	200 00
2,	10,000 00	400 00
1, exceeding	10,000 00	700 00

Restaurants and eating-houses are classified and taxed as follows :

<i>Class.</i>	<i>Sales not exceeding</i>	<i>Tax.</i>
5,	\$3,000 00	\$20 00
4,	5,000 00	30 00
3,	10,000 00	75 00
2,	15,000 00	125 00
1,	20,000 00 and upwards,	200 00

Wholesale liquor dealers are classified and taxed as follows :

<i>Class.</i>	<i>Sales not exceeding</i>	<i>Tax.</i>
13,	\$5,000 00	\$25 00
12,	10,000 00	30 00
11,	15,000 00	36 00

<i>Class.</i>	<i>Sales not exceeding</i>	<i>Tax.</i>
10,	20,000 00	48 00
9,	30,000 00	60 00
8,	40,000 00	72 00
7,	50,000 00	96 00
6,	60,000 00	120 00
5,	75,000 00	144 00
4,	85,000 00	192 00
3,	100,000 00	240 00
2,	200,000 00	360 00
1,	300,000 00 and upwards,	480 00

96. Keepers of billiard-rooms, pool-rooms, and bowling-alleys, (nine or ten-pin alleys,) are taxed as follows: For the first billiard-table, pool-table, or bowling-alley, \$30; for each additional table or alley, \$10.

Brokers and auctioneers pay a license fee at the rate of three per cent. on the amount of their annual business.

Dealers in patent medicines are rated as retailers of merchandise.

We omit further details relative to the duties of mercantile appraisers, and the law relating to this class of taxes. Each appraiser receives full instructions every year from the Auditor General.

Auditors of Accounts of County Officers.

97. It is the duty of the court of common pleas of each county to appoint at its last term in each year a competent person to examine and audit the accounts of all county officers who have received during the year any money belonging to the State, except county treasurers. This auditor will carefully examine all the dockets, records, books, papers, and vouchers of these officers, and make a full and detailed statement of the amount of money each one has received during the year for the use of the State. The object of this auditor's appointment is to secure to the State the tax on deeds, wills, writs, appeals, &c., as well as collateral inheritance tax, and excess of fees of office. The report is made to the Auditor General, to assist him in his annual settlement of the accounts of county officers. In case of a failure of the court to appoint such an auditor, the Auditor General makes the appointment.

Notaries Public.

98. Notaries public are appointed by the Governor for a term of three years, and confirmed by the Senate. In case of a vacancy, an appointment may be made for the unexpired term.

No stockholder, director, cashier, teller, clerk, or other officer in any bank or banking institution, or in the employment thereof, or person holding or exercising any judicial office or appointment under the State, except in certain counties, or office or appointment of trust or profit under the United States, can be a notary public; nor can he hold the office in any city or county until he has resided therein one year, and in the State two years.

Before entering on the duties of their office, they must be sworn or affirmed to well and faithfully perform the duties thereof, and that they will support the Constitution of the State; and also give bond, themselves, in a sum not exceeding 600 pounds, with two sureties in a sum not exceeding 300 pounds each, to be fixed by the Governor, and recorded in the office for recording deeds. Each notary has a seal, with which he attests all his official acts.

Their duties are, generally, to attest deeds, agreements, and other instruments, to give them authenticity; to protest notes, bills of exchange, etc.; to certify copies of agreements and other instruments; to take acknowledgment of deeds and other instruments proper to be recorded; to take acknowledgment of instruments of writing relating to com-

merce or navigation, such as bills of sale, bottomries, etc.; to administer oaths in all matters coming before them, and to take depositions, affidavits, and the like. The fees authorized to be charged by them, to be found in the appendix, will largely indicate their duties.

The act of 1791 limited the number of notaries to six in Philadelphia, and three in each of the other counties of the State; but this number has been largely increased from time to time, and now one or more may be appointed in every town or place where there is a bank or savings institution.

Notaries are of very ancient origin. They were well known among the Romans, and exist now in every European nation. Their acts have long been respected by the custom of merchants and by the courts of all nations. Their appointment is a source of considerable revenue to the State, as each one must pay \$25 to the State Treasurer before he can receive his commission.

For amount of tax paid to the State by them, see Chapter XXXIII, "Subjects and Rates of Taxation;" and for amount of fees allowed to be charged by them, see "appendix."

CHAPTER XXXIX.

TOWNSHIP OFFICERS.

Some General Remarks.

1. A township is a corporate body, with power to sue and be sued ; and the word "township" is a general term, including boroughs and all municipal divisions, where general reference is made to township officers.

The rights and duties of township officers are the same, substantially, in all districts, whether townships, boroughs, wards, or cities. They all bear the same relation to the county. Where there is any exception to this rule, it is caused by some act of Assembly. The supervisors (or road commissioners) represent the township in its corporate capacity for all except school purposes.

2. New townships may be erected and old ones divided by the court of quarter sessions, on petition of the citizens thereof, after an election by the citizens of the territory proposed to be embraced in the new township and the one from which the greatest number of inhabitants is to be taken.

After the division of an old township and the erection of a new one, or the alteration of any township lines, the indebtedness of the townships affected may be adjusted by the court of common pleas of the county, sitting in equity, and the new township, or township receiving territory by such alteration of the boundary lines, shall pay such part of the indebtedness as the court shall direct, to be levied on the taxables of the new township (or township receiving the territory) which belonged to the old township.

Where townships are consolidated, the court has power to adjust the indebtedness incurred prior to the consolidation, in such a manner that only the property within the old territorial limits of each township shall be liable therefor.

On the petition of twenty or more freeholders of a township to the court of quarter sessions, the court shall appoint three impartial commissioners to view the districts proposed to be annexed or consolidated, and if a majority of them report in favor of annexation or consolidation, the court will confirm their report *nisi*, and order a special election to be held within sixty days of the date of such confirmation; and if a majority of the electors of all the districts vote in favor of the report, it shall be confirmed absolutely, and the place of election be fixed in the most populous of the townships thus consolidated.

3. The officers elected in each township are two supervisors, two overseers of the poor, three auditors, one constable, two justices of the peace, one assessor, (two assistant assessors every third year,) one judge of election, two inspectors of election, one town clerk, six school-directors. All tax-payers having a legal residence in the township, and the constitutional qualifications of electors, may vote for and hold these offices; but females may be elected school-directors.

All persons elected or appointed to any township office, before entering on their duties, must take and subscribe an oath or affirmation before some person having authority to administer oaths, to support the Constitution of the United States, and the State of Pennsylvania, and to perform their duties with fidelity.

The terms of all township officers (except school-directors, justices of the peace, and constables) begin on the first Monday in March. Township officers are elected on the third Tuesday of February.

Assessors.

4. An assessor is elected in each township, borough, and ward every year, and, in the year of the triennial assessment, two assistant assessors are elected. Within twenty days after their election or appointment, they must furnish to the county commissioners certified copies of the oaths or affirmations taken by them, to be filed in the commissioners' office. Persons elected or appointed to this office and refusing or neglecting to serve are liable to a fine of \$50 for the use of the county. Vacancies in the office are filled by the appointment of the county commissioners. They are paid for making the assessments such sum per day, and mileage, as the county commissioners think just, for which the commissioners issue them orders on the county treasurer.

5. Having received the last adjusted valuation of their district, full instructions from the county commissioners, and being duly sworn, it is their duty to go from house to house, and assess all male persons above the age of twenty-one years, and all others having assessable property in the district.

(For a full list of property to be assessed, see Chapter XXXIII, "Rates and Subjects of Taxation.")

For purposes of taxation, the title to lands is in the person who has the deed or articles of agreement for purchase. When seated lands are partly in one township and partly in another, they must be assessed in the township where the mansion-house is situated. This does not apply where the mansion-house is in an incorporated city or borough, and the farm outside. When the township or borough line passes through the mansion-house, the owner may elect in writing in which district his residence shall be designated, to be filed in the commissioners' office, and shall be final.

6. All property is required to be assessed at its *bona fide* salable value. If the assessor has reason to suspect a false return of property in any case, he may make the assessment from the best means of information within his reach, and persons feeling aggrieved may appeal to the county commissioners. Any assessor knowingly or intentionally omitting or refusing to assess any taxable property, or assessing the same above or below its value, shall be guilty of a misdemeanor, and on conviction be liable to a fine of not less than \$100 nor more than \$200, and imprisonment not less than three nor more than twelve months. Between the triennial assessments, they shall re-assess estates improved by buildings or otherwise; allowance or abatement for buildings or improvements destroyed since the last triennial assessment can only be made by the commissioners.

7. When the transcript is received from the commissioners' clerk, the assessors must give written or printed notice, at least five days before the day of appeal, to every taxable inhabitant of their respective districts, of the sum or amount with which they stand rated, and the rate of tax, and the time and place of the appeal, which the assessor shall attend. And when they make any alterations in their assessments by reason of improvements, or where new names are added, they must notify the assessed, so they can attend the appeal. They must assist the supervisors and overseers in laying township rates, and furnish them with a corrected copy of the last adjusted valuation. They must return to the county commissioners, in a separate list, all property within their districts exempted by law from taxation. (For statement of property exempt from taxation, see Chapter XXXIII.)

8. The assessors of the various districts are the offices under the law to make the registration of voters for election purposes. On the first Monday of June in each year, they must take up the transcript of the last

preceding assessment, and proceed to add thereto the names of such voters as have moved into their districts, and erase the names of such as have moved out. To this end they must visit every dwelling, making careful inquiry, ascertaining on what ground newly assessed persons claim the right to vote.

When this is done, they make up a list, in alphabetical order, of the male citizens thus registered, giving place of residence, (in cities and towns, street and number,) occupation, place of boarding, with whom living or working, and write "voter" opposite the name. Naturalized persons must show their certificates, unless they have voted in the district two years, and opposite their names is written the letter "N." When the person has declared his intention to be naturalized, and expects to get his final papers before the next election, the letters "D. I." are written opposite his name. Where the person intends to be naturalized one month before the next election, the declaration not being necessary, the letters "I. N." are written opposite his name. Persons voting on age are marked "age," and when they have come in since the last election they are marked "R." A separate list must be made of all new assessments, and the list must be returned to the county commissioners forthwith.

As soon as the duplicate list is returned to the assessor by the commissioners, and before the first Monday of August, he must place one copy on the door of the election-house, and keep the other for free inspection; and he must add, from time to time, on application, the names of such as claim the right to vote, marking opposite every such name the letters "C. V." He must be present at the election-house the sixty-third and sixty-second days before the general election, from ten, A. M., to three, P. M., and six to nine, P. M., to hear and act on all applications for registry, erasures, or corrections; and on the following day he must make a return to the county commissioners of all the additions and corrections he has made to the list since his last return; and from this return the commissioners furnish the list of voters to the election officers. No one whose name is not on this list can vote without proving his right according to law.

Assessors must attend all elections, to give information to the election board touching the right of persons to vote.

9. If any qualified elector complains to a law judge, before the election, of any illegal act of the assessor in registering, such assessor may be cited to appear before the judge, and, on hearing, the judge may order names to be added or stricken off, as justice requires, and may proceed by attachment, as in case of contempt.

For any neglect or refusal to perform their duty in registering voters, the fine, on conviction, is \$100. For knowingly assisting unqualified voters, or refusing to assess qualified ones, they are guilty of a misdemeanor, and, on conviction, may be fined not exceeding \$1,000, and imprisoned not exceeding two years, besides being liable in damages to the party aggrieved.

Supervisors.

10. Within one month after their election, supervisors must give bond to the township, to be approved by the auditors, or the office shall be declared vacant, to be filled by the court of quarter sessions till the next election. If one alone qualifies, he may act till the vacancy is filled, but if both fail to qualify, the old supervisors hold over till their successors are duly qualified. Each supervisor may enter into a separate bond, when he shall be liable for his own acts only. Bonds are collectible by law, if supervisors fail to pay over any balance found due within thirty days. If any supervisor, who can do so, neglects or refuses to give the required bond, he is liable to a penalty of \$20.

11. They must keep the roads and bridges in their townships in good repair, and open and build new ones, on orders from the court of quarter

sessions. For neglect or refusal to do this, they may be indicted. They must keep accounts, in a book provided for that purpose, of all moneys received and expended by them on behalf of the township, to be sworn to, and settled by the township auditors.

They may lay a tax not exceeding one cent on the dollar (see Chapter XXXIII) for the ordinary purposes allowed by law, and an additional rate to pay a just debt due a former supervisor or overseer. Where other debts are to be paid, the creditors may secure an order from the court of quarter sessions, commanding the supervisors to levy a special tax for the purpose. In all cases, the assessment must be on the last adjusted valuation.

12. In districts where the debt is more than two per cent. of the assessed valuation, or it is intended to increase it above that rate, supervisors, or poor-overseers, must publish in at least two newspapers of the county, most convenient thereto, annual statements of the funded and floating debt, the valuation of property, the assets of the district, and the date of the maturity of the funded debt, under a penalty of \$1,000.

13. Supervisors and poor-overseers may jointly appoint a collector, who shall give bond to their satisfaction, but this shall not interfere with the right of the citizens to work out their road taxes—a right which can not be taken from them. Exonerations for road taxes may be made by supervisors where they deem it just and equitable. Exonerations for road taxes on unseated lands must be claimed of the county commissioners on or before February 1 of each year.

When there is no township treasurer, supervisors collect and disburse the road tax. Our space will not permit us to give all the details of the law relating to supervisors and their duties. Suffice it to say that it is their duty to do all things necessary and proper to be done to open, repair, and maintain in good condition the public highways in their districts, and must levy, collect, and disburse the taxes allowed by law for this purpose, and are punishable by law for any neglect to do so.

14. They may allow persons not exceeding \$5 annually for erecting and maintaining in good order a watering-trough by the side of the highway; and may allow persons, on account of their road tax, one dollar for every four shade trees set out along the highway, according to law, not to exceed one fourth of their annual tax.

Supervisors discharge the duties of constable when that officer cannot serve.

In a few counties of the State, there are three "road commissioners" in each township, who have charge of all matters pertaining to the public highways. Under different names, and in a little different manner, they discharge substantially the same duties as supervisors.

Overseers of the Poor.

15. Overseers of the poor must give bond, and be sworn or affirmed, and have power to levy and collect taxes for the support of the poor of their districts annually, nor exceeding one cent on each dollar of valuation. They must provide for every poor person having a legal settlement in the district applying to them for relief; and if any pauper not having a legal settlement therein applies for relief, they must care for him till his legal settlement is ascertained. If any pauper is able to work, they shall furnish him work according to his ability, such as working on the roads, or the like. If unable to work, they must support them comfortably while they live; and bury them decently after their death, all at the expense of the district.

The overseers are a corporation, and may receive, hold, and disburse property, both real and personal, coming by gift, grant, bequest, or otherwise, for the benefit of the poor of their district. They are elected, one each year, to serve two years.

16. If any poor-overseer shall neglect or refuse to perform any duty of his office, he may be convicted of a misdemeanor and fined not exceeding \$100.

It is made the duty of overseers and directors of the poor to recover, for the use of their poor-districts, moneys bet on elections, and failing to do so, knowing the fact, they are guilty of a misdemeanor, and, on conviction, are liable to pay a sum not less than the amount of the bet, nor more than double the amount.

Auditors.

17. Township and borough auditors are required to meet annually on the second Monday of March, to examine and audit the accounts of supervisors, poor-overseers, and other township officers, except school-directors. For the purpose of auditing the accounts of school-directors, they meet on the first Monday of June, and oftener if necessary.

18. Their reports, when completed, must be filed with the town clerk, if there be one, otherwise with the senior auditor, for inspection by all who may be concerned. A copy thereof shall be filed in the court of quarter sessions, and an itemized statement of the accounts of the township officers must be published in one of the newspapers of the county having the largest circulation in the district, or by at least five written or printed handbills, posted in the most public places in the township within ten days after the settlement.

19. They have the same power and authority to obtain the attendance before them of parties and witnesses, and as to the production of books and papers, and to administer oaths and affirmations, and to commit persons who refuse to testify, and admit other evidence when parties withhold books, papers, &c., as county auditors have. They cannot issue orders on township officers.

20. In addition to auditing the accounts of township officers, they are sworn as fence viewers. On receiving notice, they must, within five days, view and examine any line fence between disagreeing owners, and make out a certificate in writing, setting forth whether in their opinion the fence already built by one is sufficient, and, if not, what proportion of the expense of building a new fence, or repairing the old one, should be borne by each party; and in each case they must set forth the sum which, in their judgment, each party ought to pay to the other, in case he shall not repair or build his proportion of the fence. A copy of this certificate shall be delivered to each of the parties, and there is no appeal from their decision. For this service, they receive the same pay as for their services as auditors, to be paid by the delinquent, or in equal sums from both parties, as they shall decide to be just.

If any party shall be delinquent in making or repairing his fence for ten days after a copy of the viewers' certificate is handed to him, those aggrieved may make or repair the fence, and bring suit before any justice, and recover for work and labor done and materials furnished; and either party may appeal as in other cases.

The law of 1700 requires all corn-fields and grounds kept for inclosures to be well fenced with fences at least five feet high, of sufficient rails or logs, and close at the bottom. The owners of adjacent unimproved lands cannot call upon each other to contribute to the cost of a division fence between them. Either one may, in such a case, erect a fence on his own land. The viewers have nothing to do with the line, or questions concerning the location of the fence. They cannot be called to view a fence between the first of November and the first of April next ensuing. Any viewer refusing to perform this duty forfeits \$3 for every refusal to the party aggrieved, to be recovered as a common debt.

21. It is also the duty of township auditors to appraise the damage done by dogs to sheep-owners, in counties where sheep, torn or destroyed by dogs, are to be appraised; and for this purpose they are required to take the following oath before a justice of the peace: "I, . . . , do swear that I will, when called on for that purpose, faithfully and impartially perform all and every of the duties enjoined on me by an act, entitled 'An act laying a tax on dogs in certain counties,

and for other purposes,' passed March 23, 1809, and its supplements." This oath the justice shall administer without fee, and give a certificate of it gratis.

Any two of them are authorized to assess the damage to sheep, and certify the amount to the county commissioners, under their hands and seals, and the commissioners shall draw an order on the county treasurer in favor of the person sustaining the damage, to be paid out of the fund in his hands for this purpose.

They have a right, and it is their duty, to inquire whether the owner of the sheep has a dog, or dogs, and report the fact to the commissioners, and if the owner has not made a true return to the assessor of his dogs, he shall not be entitled to the valuation of his sheep made by the auditors. For their services in discharging this duty, they are entitled to the pay allowed by law for other duties.

The pay of township auditors was fixed by law at \$1 a day, to be paid out of the township funds, but in many counties it has been increased by special acts of Assembly, the increase being generally to \$1 50 per day, but in some cases to a larger sum. See appendix.

Town Clerk.

22. The town clerk serves the supervisors of the township as their clerk, and receives such compensation as they determine from time to time. He must provide suitable books for records, to be paid for out of the township funds, to be kept open by him at all times for public inspection. For every search of this record, he is entitled to ten cents.

When the finder of a stray shall deliver to him a particular description of the color and marks, natural or artificial, of such stray or strays, in writing or other satisfactory way, he must enter the same in his record, for which he is entitled to receive the following fees: For every horse, fifty cents; cattle, twenty-five cents; sheep, six cents. For every neglect or refusal to do this, he forfeits \$5.

In districts where the road commissioners are controllers of the highways, and hold views, the town clerk must enter the reports of these views in his record, with all the proceedings in each case.

Township Treasurer.

23. When a township treasurer is elected, he must give such bond as will be satisfactory to the supervisors, for the faithful performance of his duties, properly accounting for all township moneys coming into his hands, and for the delivery to his successor of all books, papers, etc., belonging to the office, and paying over any balance in his hands to his successor.

It is their duty to receive and keep safely all moneys coming to the township, from whatever source; keep distinct accounts of moneys received from taxes and other sources, and pay out moneys only on orders drawn by the supervisors. They must keep their accounts open at all times for inspection, and lay them before the township auditors each year for settlement, with the proper vouchers.

For neglecting or refusing to perform any of the duties of their office, they are liable to a fine of \$100 on conviction, and to be dismissed therefrom. Their compensation is fixed by the supervisors, with the consent of the auditors, at a certain percentage on all township funds coming into their hands.

Constables.

24. The constable is not strictly a township officer, yet most of his duties belong thereto. His duties and relation to the township and the justices of the peace therein, are in many respects similar to those of

the sheriff to the county and its courts. He is elected to serve one year. Any freeholder elected or appointed to this office and refusing to serve is liable to a fine of \$10. He must appear at the next court of quarter sessions and accept or decline the office. If he has served in the office as a principal or deputy within fifteen years, or paid the penalty within that time, he shall be excused.

He must give a bond of not less than \$500 nor more than \$3,000, as the court shall direct, for like purposes as the sheriff's bond, to be filed in the court of quarter sessions. Suits thereon must be brought within three years from the date of its approval. He can appoint no deputy without the approval of the court of quarter sessions, except in a civil suit, at the request and risk of the plaintiff.

In case of intemperance or misconduct, on complaint made to the quarter sessions by affidavit, he may be made to give special bond, or be removed from office.

25. All writs, notices, warrants, and legal process generally, directed to him by a justice of the peace or a party to the proceeding, must be promptly served, according to law, and return made in writing, under oath. A warrant must be executed forthwith and the defendant's body brought before the justice issuing it, unless the offense charged is bailable, and defendant requests to be taken before a nearer justice to give bail for court. Writs and other process and papers may be given to any constable in the county, and served by him anywhere in the county, or, if a warrant, out of the county, by first having it indorsed by a justice in the county where executed.

26. He may levy on and sell personal property to satisfy any execution from a justice, directed to him or placed in his hands, first giving proper notice by at least three hand-bills, put up six days before the sale in the most public places in the township or district, stating time, place, and articles to be sold. He executes all landlords' warrants coming into his hands, following the directions of the law strictly, and, in case of sale, proceeding as on execution. After plaintiff's claim is satisfied, with the costs, he must return the surplus, if any, to the defendant.

27. If the defendant in an execution is entitled to the exemption of \$300, and demands it before the sale, the constable must summon three disinterested and competent persons to make the appraisement according to law. And in all cases of sale if a legal claim for taxes, rent, or labor is made, he must see that they are first paid out of the proceeds of the sale. Special proceedings may be had against a constable for negligence or making a false return; and severe penalties are imposed on him for failing to pay over moneys made on execution, or otherwise. Neither they nor their deputies can buy at their own sales, directly or indirectly, under a severe penalty.

28. Constables must give at least ten days' notice of all township elections, by ten or more handbills, either written or printed, posted in the most public places in the district. If this duty is neglected or refused by the constable, it must be performed by the supervisor or assessor, but the latter need give but five days' notice. The fee for giving this notice is \$2. The constable must be in attendance at all elections to preserve the peace, and see that the polls are kept clear and free from disturbance. They must see that all public bars are kept closed during election day. For neglecting to keep the approach to the polls open on election day, they are liable, on conviction, to a fine of not less than \$100, nor more than \$1,000. They must report any disturbance at an election to the next court of quarter sessions, with the names of the witnesses to prove it, and for neglecting to do so may be fined not exceed \$100. They are entitled to \$2 for attending at the general election, and \$3 for attending at all other elections.

29. A constable as a peace officer has a right to arrest persons without warrant who are engaged in a riot or other breach of the peace, if delay would be dangerous. In the discharge of his duty as a peace officer, his

person is protected by the law, and any assault made upon him then would be a serious offense, and severely punishable. He may call on the citizens to assist him in suppressing a riot, and they are bound to do so.

Constables have authority to arrest vagrants and take them before a committing magistrate for examination and disposition.

30. Each constable must make a return to the court of quarter sessions of his county four times each year, under oath, in such form as the president judge of the district shall prescribe. The return is made on a printed form, each item to be filled in by the constable. These returns vary some in the different counties, but usually embrace the following heads: Names of retailers of liquors; names of retailers of merchandise; condition of roads and bridges; index boards, up or not; bastard children born; game killed out of season; fish caught or sold against law; bawdy or disorderly houses; gambling houses; disturbances at elections; liquors sold without license; liquors sold on election day; liquors sold to persons forbidden by law. The return must be signed by the constable and sworn to before the clerk of the court. The penalty for neglecting to make this return is \$50 fine, and imprisonment not less than ten nor more than thirty days.

The judges of the courts appoint constables, from time to time, to attend court and wait on the juries, their compensation to be fixed by law.

Tax Collectors.

31. Collectors of county and State taxes are appointed for each district in the county by the county commissioners, who are required to give bond unless they are freeholders to a sufficient amount. For refusing to serve, unless excused by reason of having served once in ten years, or not being able to give bail, the penalty is \$50. A collector who has proven a defaulter cannot be re-appointed.

32. Attached to their duplicate is a warrant signed by the county commissioners, so that if any one refuses to pay their tax within thirty days after it is demanded, the collector may proceed by distress and sale to collect it, giving ten days' notice by at least three handbills. The levy should be made on goods enough to pay the tax, and no more, for a grievous excess would make the collector a trespasser. If goods enough cannot be found, the body of the delinquent may be taken to the county jail, unless a female, infant, or lunatic. The warrant is effective for two years from the date of signing. A warrant is a lien on the property only from the time the levy is made.

33. The goods and chattels of any person occupying any real estate are liable to distress and sale for taxes due and unpaid thereon, during his occupancy, the same as if they belonged to the owner of such real estate. The distress need not be made on the premises. And such goods are liable for taxes assessed before the tenant took possession. An owner's goods, or those of his tenant, are liable for distress for taxes assessed before he purchased.

34. Collectors may appoint deputies, with the approbation of the county treasurer, the collectors and their sureties to be responsible. They must, within six weeks from the date of their warrant, pay all moneys then collected to the county treasurer, and make final settlement within three months from the time the duplicate is placed in their hands, on pain of being chargeable with the whole balance, except such exonerations as the commissioners may allow.

35. Collectors cannot take payment of taxes not assessed, nor where parties have been exonerated, unless they voluntarily appear and tender payment, nor can they add names to the duplicate. A violation of this law subjects them to a fine of not more than \$100, and removal from office. A collector cannot sue for taxes till after the expiration of his warrant, and then the statute of limitations will run against him.

When property is sold by the sheriff, collectors should give notice of their claim for taxes before the sale. Their compensation is five per cent. on all taxes collected by them.

It is often customary to make the constable of the district tax collector, but he has no more claim upon the position than any other citizen.

School-Directors.

36. Each township, borough, and city in the State constitutes a separate school-district, but a borough may be connected with a township in such a way that the two shall form but one district. Each school-district is a corporation, known as the "school-district of . . . township," or borough, as the case may be, with power to sue and be sued, &c.

Each district has a board of six school-directors, except in cities, and in districts where the number is fixed by special law. They are elected to serve three years, two being elected each year. All citizens, women as well as men, are eligible to the office of school-director, and women may hold any office under the school laws of the State.

37. School-directors serve without compensation, and need not be sworn. They enter on their duties as soon as notified after their election by the constable. Their election may be contested on the petition of not less than ten qualified electors of the district, presented to the court of quarter sessions, which may confirm their election, or set it aside and order a new one. When there is a tie vote between candidates, they appear at the next meeting of the board and draw as many papers as there are candidates, and the one drawing the paper with the word "director" written on it shall be declared elected.

38. Any vacancy happening in the board shall be filled by the remaining directors until the next spring election, when it shall be filled by election for the unexpired term. If a director regularly elected refuses to attend a regular meeting of the board, after being notified by the secretary in writing to appear and enter upon his duties, or after entering on the duties of his office shall neglect to attend two successive meetings of the board, unless prevented by absence from the district or sickness, or to act in his official capacity when present at a meeting, the directors present may declare his seat vacant, and appoint another in his place until the next election.

39. If all the members of any board shall refuse to discharge their duty, by levying the tax required by law, and to open and keep open the schools, as far as the means of the district will permit, or neglect or refuse to perform any other duty required by law, their seats may be declared vacant and others be appointed by the court of quarter sessions, on complaint and petition, and due proof made by six citizens of the district. The only remedy against directors is by removal. All directors are exempt from serving in any other township, city, or borough office, and from serving in the militia.

The board must organize within ten days after the first of June of each year by electing a president, secretary, and treasurer. The treasurer need not be a member of the board. The president and secretary have many duties to perform relative to levying the tax for the district, issuing orders, preparing duplicates, making reports to the county and State superintendents, &c. If the president and secretary draw an order without authority, they are indictable, and if the board direct an order to be drawn for an unlawful purpose, they are indictable.

40. The board must hold at least one stated meeting in every three months. Four members are necessary to the transaction of all business, except to adjourn or fill vacancies. It requires four affirmative votes to levy the school-tax, to locate a school-house, or change or abandon a location, to appoint or dismiss a teacher, to fix the school-term, to adopt a course of study or select text-books, or to pass a resolution to pay for or sell any real estate.

41. Boards of directors may borrow money at a rate of interest not exceeding six per cent., and issue bonds therefor in sums not less than \$100; but the debt thus incurred must not exceed one half per cent. of the assessed valuation of the real estate of the district. A larger debt may be incurred by borrowing money, on application to the court of common pleas.

42. The board of directors of each district must establish sufficient schools therein, properly located, to accommodate every person in the district between six and twenty-one years of age applying for admission, and supply each building with all necessary accommodations.

43. They have a general supervision over the schools of the district when in session, and at least one director must visit each school once every month, and have the result of his visit entered on the minutes of the board.

They employ all teachers for their district, fix their salaries, and may dismiss a teacher for incompetency, cruelty, negligence, or immorality. They direct what branches shall be taught in each school, grade the schools when necessary, direct what text-books shall be used, and may suspend or expel pupils for bad conduct. They cannot change text-books oftener than once in three years.

44. Collectors of school-taxes are appointed by the school-boards, and receive as compensation a sum not exceeding five per cent. on the amount collected by them.

At the close of each school-year, the board of directors must furnish to the township or borough auditors a full certified statement, itemized, of all the receipts and expenditures of the district, with its assets and liabilities, with all books, papers, and vouchers relating thereto. After the same has been approved by the auditors, it must be entered in full on the minutes of the board, and be published in a condensed form by not less than ten written or printed handbills in the district, or in two newspapers of the county having the largest circulation among the citizens interested. A fine of \$300 is the penalty for neglecting these duties.

For further information relative to schools and the common-school system of the State, see Chapter XXIV, "Department of Public Instruction," and Chapter XXXIII, under the sub-head "School-Taxes."

Justices of the Peace.

45. Justices of the peace are, in a certain sense, township officers, and are in nearly all cases classed as such, yet they form a part of the regular judicial system of the State, just as much as the judges of the courts. For this reason, and to make our treatment of the judicial department of the State government complete, according to our plan, we devoted a chapter under that general head, (Chapter XXXVIII,) to justices of the peace, aldermen, and magistrates, to which the reader is here referred.

Election Officers.

46. The election officers of each district consist of a judge and two inspectors, and two clerks. The judge is voted for by all the electors of the district, and the candidate receiving the most votes shall be declared elected. Each elector can vote for but one candidate for inspector, and the two receiving the highest number of votes shall be declared elected. Each inspector may appoint one clerk. Where there is a tie vote for judge, the person receiving the highest vote for inspector shall appoint a judge.

No person who holds, or has held within two months preceding, any office of trust or profit under the United States, State, or municipal government, except a justice of the peace, alderman, or notary, or in the militia, can sit on the election board. No election officer is eligible

to any office voted for while he is on the board, except township offices. Vacancies existing by reason of disqualification, or otherwise, may be filled by the court of common pleas, but inspectors thus appointed must be of opposite political parties.

Two overseers of election may be appointed by the court of common pleas in certain contingencies, but must belong to different political parties.

47. Elections must be opened at seven o'clock in the morning and be closed at seven o'clock in the evening. At the time for opening the polls, if a vacancy exist in the office of minority inspector, the person who received the second highest number of votes for judge at the last election for judge shall act as such, and if the majority inspector is absent, the judge shall appoint one in his place. If the judge is absent, the inspector who received the highest number of votes shall appoint a judge. If a vacancy exist one hour after the time to open the polls, the electors present shall elect one of their number to fill it. If a clerk be absent, the inspector who appointed him shall fill the vacancy. When any vacancy on the board is filled, the appointee shall serve till the end of the term. Election officers serve but one year.

48. Before opening the polls, the election officers must all be sworn, either by a justice of the peace, alderman, or judge, or the minority inspector may swear the judge of election, and he shall swear the rest. A copy of the oath to be taken by each is furnished with the election papers by the county commissioners, and, after being properly filled up and subscribed by the respective officers, in duplicate, one of each shall be placed in the ballot-box with the tickets when the election is concluded, and the others shall be inclosed with the election returns.

49. If any judge or minority inspector refuses or fails to swear the election officers in the presence of each other, if any officer shall act without being duly sworn, or shall sign the oath without being sworn, or if any judge or minority inspector shall certify that any officer was sworn when he was not, the same shall, in each case, be deemed a misdemeanor, and, on conviction, the officer so offending shall be fined not exceeding \$1,000 and be imprisoned one year, or both at the discretion of the court.

50. When the election is concluded, the votes counted, and the returns made out and signed, the names of the candidates voted for, with the number of votes received by each, shall be written out in full, signed by the election officers, and placed on the outside of the door of the election-house; and when the tickets are placed in the ballot-box, with the oaths, it shall be securely closed, as directed by law, and the judge and minority inspector shall deliver it to the person designated as its custodian.

51. The compensation of election officers in most counties is \$1 50 per day, to be paid out of the county treasury on the order of the county commissioners. In a few counties the pay is higher.

For a full and detailed statement of the law relating to elections, see Digest of Election Laws of Pennsylvania, published by Lane S. Hart, Harrisburg. Price, fifteen cents. A copy of this little book should be in the hands of every election officer in the State.

General Borough Laws.

52. With the following summary of the law relating to the incorporation of boroughs, and the appointment, election, duties, and powers of borough officers, we conclude what we have to say relative to township officers:

The several courts of quarter sessions have power to incorporate boroughs whose applications shall have been laid before the grand jury and approved three months before, and been advertised at least thirty days in one newspaper of the county before the petition shall have been presented. The same course must be pursued in case of change of limits.

The application must be signed by a majority of the freeholders residing in the district applying, and must set forth the name of the proposed borough, with a particular description of the boundaries thereof, exhibiting the courses and distances in words at length, and be accompanied with a plot or draft.

53. All borough charters must contain: (1) the corporate style and title of the borough; (2) the boundaries; (3) the time and place of holding the election.

54. The courts, with the concurrence of the grand jury, may alter or annul any borough charter on petition of two thirds of the taxable inhabitants thereof, after like proceedings as in case of chartering.

55. Boroughs shall be limited to hold real and personal estate not exceeding the yearly value of \$3,000.

56. The burgess and town council have power and are required, on petition of twenty or more freehold owners of lots or out-lots, or other tracts of land lying adjacent to their borough, to declare by ordinance the admission of the section on which said petitioners and others reside, and it shall thereafter be a part of the borough, and subject to its jurisdiction and laws. The conditions must be carried out strictly.

57. The court of quarter sessions, on complaint of persons owning farming lands adjacent to a borough, but proposed to be embraced therein, may exclude the same, and for this purpose modify or change such boundaries.

Where borough authorities propose to extend the borough limits, they shall file a plan of the extension in the court of quarter sessions, and publish notice of their intention in at least two newspapers of the county.

Any citizen of the borough or of the territory proposed to be annexed may appeal from the ordinance of extension, within thirty days of the filing of the plan, and the court will then use its discretion in the matter.

58. When territory is taken into a borough, the same remains liable for its proportion of the debt of the township from which it was taken, to be levied by the borough authorities and paid to the township.

59. The corporate powers of a borough are as follows:

To have succession by its corporate name perpetually.

To sue and be sued in all courts.

To make and use a common seal, and alter it at pleasure.

To hold, purchase, and convey real and personal estate for borough purposes within the charter limits.

60. The following powers shall be vested in the officers designated in the charter:

To make ordinances and regulations not inconsistent with the laws of the State, as they shall deem necessary for the government of the borough.

To survey, lay out, and establish such roads, streets, alleys, lanes, and sewers as are necessary, and to provide for and ordain the straightening and widening of the same, and to prohibit the erection or construction of any building or work, excavation, or other obstruction to the opening, widening, and convenient use thereof.

To regulate the foregoing, and all courts, public squares, common grounds, foot-walks, pavements, gutters, culverts, drains, and all pertaining thereto.

To require and direct the grading, curbing, paving, and guttering of the side and foot-walks by the owners of the lots of ground on which they front, or to cause the same to be done at the expense of the owners failing to do it within the time specified by the regulations, and to collect the cost of the work and materials, with twenty per cent. penalty, the debt to be recovered as mechanics' liens are recoverable.

To make regulations respecting the foundations of party walls of buildings, vaults, cess-pools, sinks, drains, and partition fences.

To enter upon premises for the performance of their duties.

To regulate and prohibit the running at large of cattle, horses, swine, and other animals, and to seize them for the benefit of the borough.

To authorize the killing of dogs running at large contrary to the regulations.

To make all needful regulations concerning the markets, peddling, and the inspection and measurement or weight of cord-wood, hay, coal, and other articles offered for sale.

To regulate annually the scales, weights, and measures within the borough, according to the standard of the State.

To prohibit and remove all obstructions of the highways, or nuisances within the borough, or cause it to be done at the expense of the owners, with twenty per cent. penalty, as in the case of sidewalks.

To prohibit any noxious trade within the borough, or any manufacture, sale, or exposure of fire-works, or other inflammable and dangerous articles, and to fix limits of quantities that may be kept in one place.

To make regulations relative to the accumulation of manure, compost and the like in stable-yards, and prevent the keeping of hogs within the borough or such limits as they may prescribe.

To prohibit within the borough the burial of deceased persons, or fix limits for the same, and regulate the depth of graves.

To make regulations necessary for the health and cleanliness of the borough.

To prescribe fire rules and limits, and authorize the purchase of fire-engines and the payment of fire companies.

To regulate and prohibit the exhibition of shows, plays, jugglers, mountebanks, and all others of the same sort.

To establish a night-watch, to light the streets, to provide a supply of water for the use of the inhabitants, to make all needful regulations for the protection of the pipes, lamps, reservoirs, and other apparatus.

To impose fines and penalties, to remit the same, to provide or erect a lock-up house for the temporary detention of persons committed by the proper corporate officers or by justices within the borough: *Provided*, No person shall be confined therein longer than forty-eight hours at a time.

To appoint and remove such officers, prescribe their duties and pay, as may be necessary for the peace, order, and well-being of the inhabitants, and to enforce the regulations.

To levy and collect annually, for borough purposes, any tax not exceeding one half cent on the dollar of valuation for county purposes, all property, offices, professions, and persons taxable for county rates and levies, to be taxable for borough purposes.

To levy and collect annually a tax on dogs and bitches, \$1 on the former and \$2 on the latter, for the first one, and in such ratio as they deem proper for any additional number.

To borrow money for the use of the borough, not exceeding one per cent. on the dollar of the whole valuation, real and personal, of the property in the borough, and issue certificates of indebtedness at no higher rate of interest than six per cent., and sell them at not less than par, the loan to be liable to no tax except by the State.

61. The officers of a borough are a burgess, (with the general powers of a justice of the peace,) six town-councillmen, two overseers of the poor, three auditors, one constable, one high constable, and such others as the charter may specially provide. Each borough forms a separate election district, and, of course, elects the same election officers as a township; and when divided into wards, each ward forms a separate election district, with its election officers, and corresponds in all respects to the township, with its separate township officers. A city is only a large borough, with some modifications as to officers and their duties.

62. Every male citizen who has resided in the borough six months preceding an election for borough officers, and has paid a borough tax within one year, can vote at such election, if he has the qualifications

required by the Constitution. All electors of the borough are eligible to any borough office.

63. The burgess and town council may submit to a vote of the electors whether they will have a "gas tax," "water tax," or "kerosene tax," or not.

64. The borough authorities cannot take private property for public purposes without the consent of the owners, or until just compensation has been made for the same, according to law.



PART FOURTH.

[APPENDIX.]

SALARIES AND FEES OF OFFICERS.



SALARIES AND FEES OF OFFICERS.

[APPENDIX.]

CHAPTER XL.

SALARIES AND FEES OF COUNTY, TOWNSHIP, AND BOROUGH OFFICERS, AND NOTARIES PUBLIC.

SECTION 1. The fifth section of the fourteenth article of the Constitution reads as follows: "The compensation of county officers shall be regulated by law, and all county officers who are, or may be, salaried, shall pay all fees which they are, or may be, authorized to receive into the county or State, as may be directed by law. In counties containing over one hundred and fifty thousand inhabitants, all county officers shall be paid by salary, and the salary of any such officer and his clerks, heretofore paid by fees, shall not exceed the aggregate amount of fees earned during his term and collected by or for him."

In pursuance of this provision of the Constitution, an act was passed June 13, 1883, P. L., p. 113, fixing the salaries of county officers in counties containing over five hundred thousand inhabitants, as follows:

District attorney,	\$10,000
First assistant district attorney,	5,000
Second assistant district attorney,	4,000
Third assistant district attorney,	3,000
Sheriff,	15,000
Coroner,	5,000
Deputy coroner,	2,500
Prothonotary,	10,000
Clerk of quarter sessions and oyer and terminer,	5,000
Recorder of deeds,	10,000
Register of wills,	5,000
Treasurer,	10,000
Commissioners, each	5,000
Controller,	8,000

This act applies to Philadelphia county alone.

SECTION 2. By act of May 11, 1881, (P. L., page 21,) the salaries of county officers in counties having less than five hundred thousand and more than three hundred thousand inhabitants, are fixed as follows:

District attorney,	\$5,000
Assistant district attorney,	2,000
Sheriff,	6,500
Coroner,	2,500
Prothonotary,	6,000
Clerk of the courts,	4,500
Register of wills,	4,000
Recorder of deeds,	5,000
County controller,	4,000
County engineer,	2,500
County surveyor,	2,000

(When the offices of engineer and surveyor are held by the same person, he receives \$2,500 only.)

Treasurer,	5,000
Commissioners, each	2,500
Auditors, each	500
County solicitor,	800
County jailer,	2,500
County detective,	1,200
And these salaries shall not be affected by increase or decrease of population.	

This act applies to Allegheny county alone.

SECTION 3. By act of June 22, 1883, (P. L., page 143,) the salaries of county officers in counties having over one hundred thousand and not exceeding one hundred and fifty thousand inhabitants, are fixed as follows:

District attorney,	\$3,000
Sheriff,	4,000
Prothonotary,	3,000
Clerk of the orphans' court,	2,000
Clerk of quarter sessions and oyer and terminer,	2,000
Register of wills,	2,500
Recorder of deeds,	3,000
Treasurer,	3,000
County surveyor,	150
Commissioners, each	1,000
Auditors, each	250
County solicitor,	500
Directors of the poor, each	800

But when amount expended for out-door relief is \$25,000 a year or less, then only \$500 each; and where there are more than three directors, only \$250 each.

Jury commissioners, each	250
County jailer,	1,200
Coroner,	1,000

Where the office of register and clerk of the orphans' court are held by the same person, his salary shall be \$3,000 only; and where the office of clerk of the quarter sessions and oyer and terminer are held by the same person, his salary shall be \$2,500 only.

This act applies to Berks, Lancaster, Luzerne, and Schuylkill counties.

In the remaining counties of the State, not affected by the foregoing acts fixing the salaries of county officers, all county officers are compensated by fees, as set forth in the following pages.

In each county where the county officers are paid by fixed salaries, the deputies, clerks, etc., are also paid fixed salaries, and the number of such deputies, clerks, etc., and the amount of their salaries, are fixed in each county by a board constituted as prescribed by the several acts of Assembly relating thereto.

NOTE.—This chapter on "Salaries and Fees of Officers," from the beginning of section 4 to the end, was prepared about January, 1879, with great care. Since then the salaries of county officers in Allegheny and Philadelphia counties have been changed, and the act has been passed fixing the salaries of county officers in Berks, Lancaster, Luzerne, and Schuylkill counties. Wherever, therefore, in sections 5 and following, the salaries of officers in these six counties differ from those given in sections 1, 2, and 3. the salaries in sections 1, 2, and 3 are to be taken.

The act of 1883, fixing the salaries of county officers in counties containing more than one hundred thousand, and not exceeding one hundred and fifty thousand inhabitants, does not change the law requiring *fifty per cent.* of the fees received by sheriffs, prothonotaries, clerks of courts, registers of wills, and recorders of deeds in these counties, after paying certain expenses, to be paid to the State.

We do not give the fees allowed to be charged by county officers in Philadelphia, as they concern no portion of the State but that county.

With the exceptions above noted, the following fee-bill will be found to be correct and full for every county in the State.

Notaries Public.

SECTION 4. The fees to be received by notaries public are as follows :

Protest of a bill of exchange, registering seal and other services, \$1.

Attesting letter of attorney and seal, 50 cents.

Notarial affidavit to an account, under seal, 25 cents.

Registering foreign sea protest, \$1.

Registering copy of each protest, 12½ cents.

Registering foreign bill protested, with certificate, 50 cents.

Registering protest of a bill of exchange or promissory note for non-acceptance or non-payment, 25 cents.

Entering or noting sea protest, to be deducted from the legal charge for the protest, if extended, \$1.

Noting a bill of exchange, note, or thing properly protestable, either for non-acceptance or non-payment, 37½ cents.

Drawing and taking proof of the acknowledgment of a bill of sale, bottomry, mortgage, or hypothecation of a vessel or charter party, \$1.

Certifying power of attorney for transferring and selling stock or other securities, 25 cents.

Drawing and certifying affidavit, \$1.

Each oath or affirmation, 12½ cents.

Notarial procuracy, under seal, 75 cents.

Letter of attorney for transferring stock or other securities, and certifying the same, 50 cents.

Drawing and taking acknowledgment or proof of substitution to a letter of attorney, \$1.

Being present at demand, tender, or deposit, and noting the same, 50 cents.

Certificate of copies ready made, 50 cents.

Comparing the same for every one hundred words, 7 cents.

Certificates of sales at auction, 30 cents.

Taking proof of debts to be sent abroad, proof and acknowledgment of letters of attorney for receiving and transferring public securities, each (c) 50 cents.

Taking depositions and affidavits, taking and receiving acknowledgment or proof of all deeds, conveyances, mortgages, or other instruments of writing touching or concerning any lands, tenements, or hereditaments situate, lying, and being in any part of this State, the same fees allowed at date of passage of act, to aldermen and justices of the peace for similar service, (d) which fees are as follows, to wit :

Administering oath or affirmation, 10 cents.

Every acknowledgment or probate of deed or other instrument of writing, 20 cents.

Taking deposition every ten words, (e) 1 cent, except in the following counties, where their fees for administering an oath or affirmation is 20 cents, and for every acknowledgment or probate of a deed or other instrument of writing, 25 cents, viz :

Berks, (g) Bucks, (g) Cambria, (h) Chester, (h) Cumberland, (f) Franklin, (f) Fulton, (f) Jefferson, (g) Lancaster, (f) Montgomery, (i) Philadelphia, (h) and Warren, (j) also, Washington county, where their fees for administering an oath or affirmation is 6 cents.

For taking acknowledgment or probate of deed or other instrument of writing, 25 cents.

(a) Act of 1853, § 9, P. L. p. 167.

(b) Act of 1872, § 4, P. L. p. 122.

(c) Act of 1814, § 16, P. L. p. 362.

(d) Act of 1864, § 2, P. L. p. 962.

(e) Act of 1857, § 1, P. L. p. 229.

(f) Act of 1831, § 1, P. L. p. 823.

(g) Act of 1864, § 1, P. L. p. 365, and act of 1864, § 1, P. L. p. 539.

(h) Act of 1864, § 1, P. L. p. 539.

(i) Act of 1864, § 1, P. L. p. 347, and act of 1864, P. L. p. 365.

(j) Act of 1864, § 1, P. L. p. 322.

For taking depositions, every ten words, (a) 1 cent.

In Allegheny county, the fees of notaries public are as follows, viz :

Making demand for payment or acceptance of a promissory note, bill of exchange, draft, or check, 50 cents.

Protesting the same, 50 cents.

Registering protest of the same, 50 cents.

Each notice of protest, exceeding two, 10 cents.

Administering oaths or affidavit, writing out and certifying the same, with seal, \$1.

Probate to bill or account, and certifying the same, with seal, 50 cents.

Acknowledgment or probate of deed or other instrument of writing, for first name, 50 cents.

Each additional name after the first, 25 cents.

Taking depositions, (first page, folio cap.) \$1.

Taking deposition each additional page, 75 cents.

Marine protests, including affidavits, certificate, seal, *et cetera*, (b) \$10.

In the following counties, their fees for all services, except the taking of acknowledgments, are increased fifty per centum, viz : Bedford, (c) Berks, (d) Blair, (e) Cameron, (f) Centre, (g) Clinton, (h) Columbia, (i) Dauphin, (j) Delaware, (c) Fulton, (e) Lackawanna, (k) Lancaster, (h) Lebanon, (j) Luzerne, (k) Lycoming, (g) Montour, (l) Northampton, (m) Philadelphia, (n) Snyder, (o) Somerset, (e) Westmoreland, (p) and Wyoming; (q) and in the following counties their fees are increased twenty-five per centum, viz : Erie, (r) Northumberland, (s) Schuylkill, (t) and York. (u)

County Officers.

Treasurers.—General Provisions.

SECTION 5. The compensation of each county treasurer, for services on behalf of the county, is fixed by the county commissioners, with the approbation of the county auditors; (v) and where they fail to fix the same, an appeal may be taken to the court of common pleas, which is empowered to fix the compensation. (w)*

For moneys received on behalf of the Commonwealth, he is entitled to commissions, as follows : Five per cent. on the first thousand dollars accounted for, and paid over; one per cent. on the second thousand; and one half per cent. on all in excess of two thousand; (x) the commissions to be computed on the gross amount annually received on each separate account; (y) and he forfeits his commissions unless he pays over quarterly the moneys received by him. (z)

He is allowed five per cent. on all moneys received from the sale of pamphlet laws, and cost of publication, (aa) and to retain, for his own use, from the State, personal and bank tax, after deducting the percentage allowed for collection, a commission of one per cent., for paying over the same to the Commonwealth. (bb) He is allowed for his services

* This covers taxes received by county treasurers for use of township and school districts, from the sale of unseated lands.

(a) Act of 1853, § 1, P. L. p. 136, and act of 1814, § 14, P. L. p. 359.

(b) Act of 1837, § 1, P. L. p. 892; act of 1863, § 1, P. L. p. 482; act of 1865, § 1, P. L. p. 467; act of 1865, P. L. p. 92.

(c) Act of 1867, § 1, P. L. p. 375.

(d) *Ibid*, p. 668.

(e) Act of 1868, § 1, P. L. p. 183.

(f) *Ibid*, p. 167.

(g) Act of 1867, § 1, P. L. p. 994.

(h) Act of 1866, § 1, P. L. p. 557.

(i) Act of 1871, § 1, P. L. p. 1115.

(j) Act of 1867, § 1, P. L. p. 439.

(k) Act of 1873, § 1, P. L. p. 630.

(l) Act of 1867, § 1, P. L. p. 1298.

(m) Act of 1869, § 1, P. L. p. 1217

(n) Act of 1865, § 1, P. L. p. 846.

(o) Act of 1868, § 1, P. L. p. 706.

(p) Act of 1872, § 1, P. L. p. 235.

(q) Act of 1868, § 1, P. L. p. 183.

(r) Act of 1867, § 1, P. L. p. 471.

(s) Act of 1870, § 1, P. L. p. 517.

(t) Act of 1871, § 1, P. L. p. 1101.

(u) Act of 1868, § 1, P. L. p. 1066.

(v) Act of 1834, § 41, P. L. p. 544.

(w) Act of 1875, § 1, P. L. p. 54.

(x) Act of 1834, § 42, P. L. p. 544.

(y) Act of 1850, § 7, P. L. p. 472.

(z) Act of 1857, § 79, P. L. p. 570.

(aa) Act of 1827, 9 Sm., p. 285.

(bb) Nead's Guide to County Officers, p. 42.

in making out, registering, and delivering each license, 25 cents, to be paid by the person to whom the license is delivered. (*a*)

He is allowed \$1 for each broker's commission granted, or indorsement made thereon, according to the act. (*b*)

His fees on the sale of seated and unseated lands for taxes, are as follows: (*c*)

Advertising each tract, including printer's charge,	\$ 50
Selling each tract or part thereof,	37½
Writing and signing every deed,	1 50
Acknowledging every deed,	25
Writing and filing every bond to secure purchase money,	25

He is entitled to no fee for advertising sale of lands, when the owners pay the taxes on the same on or before March 1, previous to the day on which the lands are to be sold. (*d*)

Special Acts for the Several Counties.

SECTION 6. In Allegheny county, he receives, in full compensation for his services, an annual salary of \$5,000. (*e*)

In Armstrong county, \$2,500 per annum, including clerk hire, expenses of advertising, stationery, and traveling, in the collection of State, county, and dog tax. (*f*)

In Beaver county, four per cent. on the amount of State taxes collected and paid over by him; (*g*) and for collecting county tax, two per cent. on the aggregate of annual receipts, exclusive of balances on former settlements or compensation for disbursements; (*h*) and \$1 for advertising the sale of each tract or lot of ground for taxes. (*i*)

In Bedford county, an annual salary of \$300, for services on behalf of the county. (*j*) and six per cent. of the amount of State taxes accounted for, and paid over to the State Treasurer, four per cent. of which goes to the credit of the county. (*k*) and the same fees on the sale of unseated lands for taxes, as are allowed the treasurer of Clearfield county. (*l*)

For each license granted to a huckster, under the act of May 18, 1866, \$2. (*l*)

In Berks county, one half per cent on all moneys received for county purposes, and one half per cent. for all moneys disbursed during the official year, the compensation not to exceed \$3,000 per annum. (*m*)

In Bucks county, six per cent of amount of State taxes accounted for and paid over, four per cent, of which goes to the credit of the county; (*n*) and for collecting county taxes, five per cent. on all moneys collected, to the amount of \$50,000, and one per cent. on all moneys collected above \$50,000. (*o*)

In Cambria county, five per cent. on all State and county taxes collected and paid out by him. (*p*)

In Carbon county, an annual salary of \$1,000, in addition to compensation for collecting moneys due the Commonwealth, and his fees on the sale of unseated lands are as follows, viz: (*q*) Advertising each tract, or part thereof, including the printer's charge, \$1; selling each tract, or part thereof, 75 cents; writing and signing every deed, \$2; acknowledging every deed, 50 cents; writing and filing every bond to secure purchase money, 50 cents.

In Centre county, an annual salary of \$2,000 for services on behalf of

(*a*) Act of 1830, § 9, P. L. p. 391.

(*b*) Act of 1841, § 7, P. L. p. 399.

(*c*) Act of 1814, § 24, 6 Sm., p. 234, and act of 1844, § 41, P. L. p. 501.

(*d*) Act of 1856, § 4, P. L. p. 477.

(*e*) Act of 1876, § 13, P. L. p. 17.

(*f*) Act of 1873, § 14, P. L. p. 359.

(*g*) Act of 1853, § 11 P. L. p. 5.

(*h*) Act of 1863, § 2, P. L. p. 23.

(*i*) Act of 1872, § 1, P. L. p. 798.

(*j*) Act of 1862, § 1, P. L. p. 315.

(*k*) Act of 1863, § 10, P. L. p. 1019.

(*l*) Act of 1868, § 1, P. L. p. 375, and act of 1866, § 1, P. L. p. 1097.

(*m*) Act of 1867, § 1, P. L. p. 1126.

(*n*) Act of 1859, § 10, P. L. p. 296.

(*o*) Act of 1873, § 1, P. L. p. 604.

(*p*) Act of 1872, § 9, P. L. p. 997.

(*q*) Act of 1871, P. L. p. 1341.

the county, (a) and \$1, including printer's charge, for advertising sale of each tract of unseated land. (b)

In Chester county, \$1,000 out of the county fund, in addition to the salary previously paid him. (c)

In Clarion county, four per cent, on the amount of State tax accounted for and paid over. (d)

In Clearfield county, the following fees: (e) Advertising each tract, including printer's charge, \$1; selling each tract, or part thereof, 50 cents; writing and signing every deed, \$2; acknowledging every deed, 50 cents; writing and filing every bond to secure purchase money, 50 cents; mercantile licenses, \$1 50; restaurant licenses, \$1; brokers' licenses, 50 cents; brewers' licenses, 50 cents; distillers' licenses, 50 cents; billiard saloon licenses, 50 cents; ten-pin alley licenses, 50 cents; patent medicine licenses, 50 cents.

In Clinton county, an annual salary of \$600, in addition to the compensation allowed for collecting moneys for the use of the Commonwealth, (f) and his fees on the sale of unseated lands for taxes and for licenses are the same as the treasurer of Clearfield county. (g)

In Cumberland county, an annual salary of \$2,200 in lieu of all fees and percentage, (h) and six per cent. on the amount of State tax accounted for and paid over, four per cent. of which goes to the credit of the county. (i) For each license granted to a huckster, under the act of May 18, 1866, \$2. (j)

In Dauphin county, an annual salary of \$2,500, in full for all duties rendered. (k)

In Delaware county, an annual salary of \$1,200, in lieu of all other compensation. (l)

In Elk county, the same fees on the sale of unseated lands, for taxes and for licences as are received by the treasurer of Clearfield county. (m)

In Forest county, four per cent. on the amount of State taxes accounted for and paid over, (n) and the same fees on the sale of unseated lands for taxes and for licenses as are received by the treasurer of Clearfield county. (o)

In Franklin county, six per cent. on the amount of State taxes accounted for and paid over, four per cent. of which goes to the credit of the county. (p) For each license granted to a huckster, under the act of May 18, 1866, \$2. (q)

In Fulton county, six percent. on the amount of State taxes accounted for and paid over, four per cent. of which goes to the credit of the county. (r) For each license granted to a huckster, under the act of May 18, 1866, \$2. (s)

In Greene county, upon county taxes, the amount fixed by the county commissioners at the commencement of his official term, (t) five per cent. on the whole amount of State taxes received and paid over, (u) and out of the proceeds of sale of property for delinquent taxes, after first deducting the taxes, the same fees as allowed to constables for levy and sale upon a writ of execution, his mileage to be computed from the place of holding the elections in the township of the delinquent to his place of residence, or to the premises against which the taxes are assessed; but where the taxes are paid without distress and sale, he only receives from the delinquent the same fees as allowed constables for collection upon an execution without levy and sale. (v)

(a) Act of 1863, § 1, P. L. p. 639.

(b) Act of 1870, § 1, P. L. p. 491.

(c) Act of 1863, § 10, P. L. p. 597.

(d) Act of 1852, § 6, P. L. p. 568.

(e) Act of 1866, § 1, 3, P. L. p. 711.

(f) Act of 1865, § 1, P. L. p. 358.

(g) Act of 1870, § 1, P. L. p. 832.

(h) Act of 1872, § 1, P. L. p. 920.

(i) Act of 1873, § 9, P. L. p. 663.

(j) Act of 1866, § 1, P. L. p. 1097.

(k) Act of 1871, § 1, P. L. p. 1559.

(l) Act of 1870, § 1, P. L. p. 587.

(m) Act of 1870, § 1, P. L. p. 233.

(n) Act of 1862, § 1, P. L. p. 495.

(o) Act of 1870, § 1, P. L. p. 233.

(p) Act of 1853, § 16, P. L. p. 131.

(q) Act of 1866, § 1, P. L. p. 1097.

(r) Act of 1869, § 1, P. L. p. 1050.

(s) Act of 1866, § 1, P. L. p. 1097.

(t) Act of 1855, § 2, P. L. p. 528.

(u) Act of 1856, § 1, P. L. p. 14.

(v) Act of 1869, § 2, P. L. p. 809.

In Huntingdon county, a compensation of \$700 for duties in connection with State and county tax. (*a*)

In Indiana county, \$2,100 for every year of his services, including clerk hire, expenses of advertising, stationery, and traveling. (*b*)

In Jefferson county, four per cent. on the whole amount of State taxes accounted for and paid over. (*c*)

In Lancaster county, a salary of \$3,000 per annum, and twenty-five cents for registering and delivering each and every tavern license. (*d*)

In Lackawanna county, the same fees on sale of unseated lands and on licenses as are received by the treasurer of Clearfield county. (*e*)

In Lawrence county, four per cent. on all moneys accounted for and paid over to the State. (*f*)

In Lehigh county, an annual salary of \$1,000, in addition to the compensation allowed by law for collecting and paying over money due the State. (*g*)

In Luzerne county, the same fees on sale of unseated lands and on licenses as are received by the treasurer of Clearfield county. (*h*)

In Lycoming county, the same fees on sale of unseated lands and on licenses as are received by the treasurer of Clearfield county, (*i*) and three per cent. on all county money received and paid out by him, the same not to exceed \$1,000 per annum. (*j*)

In Mercer county, four per cent. on the whole amount of moneys accounted for and paid over to the State. (*k*)

In Monroe county, six per cent. on the amount accounted for and paid over to the State, four per cent. of which goes to the credit of the county. (*l*)

In Montgomery county, for his services on behalf of the county, a sum not exceeding \$3,000 per annum, to be fixed by the county commissioners, with the approbation of the county auditors, (*m*) and the additional sum of \$1,500. (*n*)

In Northumberland county, the same fees on the sale of unseated lands for taxes, and for licenses, as are received by the treasurer of Clearfield county. (*o*)

In the city and county of Philadelphia, \$10,000 per annum. (*p*)

In Pike county, his fees on the sale of seated lands for taxes are the same as on the sale of unseated lands. (*q*)

In Schuylkill county, one per cent. for all moneys received for use of the county, and one fourth of one per cent. for all moneys paid out by him as treasurer of the county, in full compensation for his services, except legal fees allowed for sale of unseated lands for taxes. (*r*)

In Union county, he is allowed for his services in collecting State and county taxes, \$2 00 per day for each day he sits at places appointed to receive taxes, and for every day necessarily spent in going to and returning from the same. (*s*)

In Venango county, four per cent. on the amount accounted for and paid over to the State. (*t*)

In Washington county, he is allowed to retain out of the county tax such amount as is fixed by the county commissioners at the commencement of his term of office, (*u*) and five per cent. on the whole amount of State tax received and paid over by him, (*v*) and he is also allowed to add ten per cent. to the amount of State and county taxes remaining unpaid on the first day of September of each year, which is to be his

(*a*) Act of 1872, § 1, P. L. p. 179.

(*b*) Act of 1872, § 14, P. L. p. 956.

(*c*) Act of 1857, § 1, P. L. p. 53.

(*d*) Act of 1852, § 12, P. L. p. 267, and act of 1863, § 3, P. L. p. 480.

(*e*) Act of 1866, P. L. p. 711.

(*f*) Act of 1832, P. L. p. 197.

(*g*) Act of 1867, P. L. p. 485.

(*h*) Act of 1866, P. L. p. 711.

(*i*) Act of 1872, P. L. p. 571.

(*j*) Act of 1866, P. L. p. 839.

(*k*) Act of 1853, § 1, P. L. p. 5.

(*l*) Act of 1867, § 10, P. L. p. 1324.

(*m*) Act of 1865, § 1, P. L. p. 634.

(*n*) Act of 1868, § 12, P. L. p. 344.

(*o*) Act of 1867, § 1, P. L. p. 226.

(*p*) Act of 1876, § 12, P. L. p. 16.

(*q*) Act of 1871, § 4, P. L. p. 413.

(*r*) Act of 1844, § 2, P. L. p. 411.

(*s*) Act of 1872, § 3, P. L. p. 1035.

(*t*) Act of 1851, § 9, P. L. p. 319.

(*u*) Act of 1855, § 2, P. L. p. 523.

(*v*) Act of 1856, § 1, P. L. p. 14.

compensation for collecting the same; but when a levy and sale become necessary; then he is entitled to the same fees, in addition, as are allowed by law to constables. (a)

In York county, he is allowed for each license granted to a huckster, under the act of May 18, 1866, \$2. (b)

Prothonotaries of Courts of Common Pleas.

SECTION 7. The fees to be received by the several prothonotaries of the courts of common pleas, except in counties having more than one hundred and fifty thousand inhabitants or less than ten thousand, are as follows, to wit:

Every writ of summons, *capias* or *certiorari*, and docketing the same, including stationery, filing papers, entering return and services, at first court, \$1 25.

Every *alias* summons or *capias*, 50 cents.

Every other writ, and filing papers, stationery and services, at first court, \$1 50.

Every *alias scire facias*, 50 cents.

Every subsequent court, where cause is put down for trial, including issue list, 20 cents.

All services during trial of cause, including swearing of jury, witnesses, and constables, 75 cents.

Taking a recognizance, 15 cents.

Entering motions and filing reasons in arrest of judgment or for a new trial, 20 cents.

Entering satisfaction of judgment or discontinuance of suit, 15 cents.

Issuing subpoena and seal, 25 cents.

Issuing attachment and motion therefor, 40 cents.

Copy of paper or record filed, for every ten words or part thereof, 1 cent.

Certificate and seal, 25 cents.

Drawing special jury, striking the same, and copies for parties, 50 cents.

Every search, where no other service is performed to which any fee is attached, 15 cents.

Fi. fa. or *ca. sa.*, and entering return, 50 cents.

Venditioni exponas, *levari facias*, or other writ in nature of an execution and entering return, 75 cents.

Entering judgment on bond, on warrant of attorney, upon confession by defendant, on motion in open court, for want of an appearance, plea, or affidavit of defense, on verdict of jury, from transcripts of justices of the peace, and amounts or balances due from collectors, including judgment docket entry and statement to plaintiff, 75 cents.

Entering amicable action, filing papers, stationery, and services at first court, \$1.

Taxing bill of costs other than prothonotary's, 20 cents.

Re-taxing bill of costs and report thereon, 40 cents.

Taxing testimony in same, for every ten words, 1 cent.

Making return to writ of error, 75 cents.

Entering proceedings of Supreme Court, 40 cents.

Entering appeal from justice of the peace, including stationery, filing papers and services at first court, 50 cents.

Citation, and seal and motion therefor, 40 cents.

Suggesting death of a party, diminution of record or substituting a party, each 10 cents.

Administering oath other than on trial of cause, 5 cents.

Amending record on motion, 15 cents.

Entering appointment of guardian *ad litem*, 15 cents.

General certificate of jurors or constable's pay, 50 cents, to be paid by the county.

Filing petition and all papers relating to application of insolvent debtors, recording order, et cetera, 75 cents.

(a) Act of 1861, § 3, P. L. p. 447.

(b) Act of 1866, § 1, P. L. p. 1097.

Subpoena in divorce or *alias* subpoena, 75 cents.

All other proceedings in divorce, except subpoenas for witnesses or commission to take testimony, \$2.

Reading and filing bill to perpetuate testimony, order of court thereon, and recording the same, \$1 10.

Commission to take testimony and return, 90 cents.

Certified copy of rule to take depositions, 25 cents.

Certified copy of any other rule, 25 cents.

All proceedings on application to enforce contract, 75 cents.

All proceedings on petition of administrator to make deed, 75 cents.

All proceedings on petition for sheriff to make deeds for land sold by former sheriff, 50 cents.

Entering acknowledgment of sheriff's or treasurer's deed, including certificate of the same, 75 cents.

All proceedings in acknowledging a deed barring estates tail, 75 cents.

Filing all election returns, at each general election, \$1.

Filing and entering county auditor's reports, each case, 30 cents, to be paid by the county.

Filing any paper not relating to any suit pending, not hereinbefore provided for, 15 cents.

Every docket entry not relating to any suit pending or judgment entered, for which no provision is made in this fee bill, and filing papers in same, 75 cents.

Entering rule of reference and copy under seal, 50 cents.

Appointment of arbitrators and docketing the same, including proof of service of rule, 50 cents.

Each copy of rule or notice to arbitrators, 20 cents.

Filing and entering report of arbitrators, including judgment docket entry, 50 cents.

Receiving and entering appeal from award of arbitrators, taking recognition and affidavit, receiving and paying costs, 50 cents.

Filing petitions in lunacy or habitual drunkard cases, and entering order of court thereon, 50 cents.

Issuing commission and entering return, 75 cents.

Writ of sheriff, 50 cents.

Entering confirmation of inquisition and appointment of committee, 75 cents.

Taking and filing bond of committee, 40 cents.

All services on sale of lunatic's estate or habitual drunkard, including filing of committee's accounts, \$2.

Transmitting to Secretary of the Commonwealth copies of election returns, for each person returned, to be paid by the county, 25 cents.

Writ of *habeas corpus* proceedings, 75 cents.

Application for maintenance or alimony, \$1.

Filing and entering mechanic's lien, 75 cents.

Entering *scire facias* to continue lien on judgment docket, 20 cents.

Entering ejectment suit on ejectment index, 20 cents.

Entering *testatum fi. fa., ca. sa. or vend. exponas*, 50 cents.

Furnishing list of liens, except certificate and seal, each judgment, 10 cents.

Receiving and distributing money paid into court, for each dollar under five hundred, 1 cent.

For each dollar exceeding five hundred, $\frac{1}{2}$ cent.

The fees for services not specially provided for are the same as for similar services. All fees for services of prothonotaries to be considered due and payable in advance. (a)

SECTION 8. Their fees, in counties containing less than ten thousand inhabitants, are as follows, viz:

Every writ of summons, *capias*, *certiorari*, and docketing the same, including stationery, filing papers, entering return, and services at first court, \$1 50.

Every *alias* summons or *capias*, 60 cents.

Every other writ, and filing papers, stationery, and services at first court, \$1 75.

Every *alias scire facias*, 90 cents.

Every subsequent court, where cause is put down for trial, including issue list, 25 cents.

All services during trial of cause, including swearing jury, witnesses, and constable, \$1.

Taking a recognizance, 25 cents.

Entering motions and filing reasons in arrest of judgment or for a new trial, 25 cents.

Entering satisfaction of judgment or discontinuance of suit, 20 cents.

Issuing subpoena under seal, with two names, 30 cents.

Every name after the first, 3 cents.

Issuing attachment, and motion therefor, 50 cents.

Copy of record or paper filed, for every ten words, 2 cents.

Certificate and seal, 30 cents.

Drawing special jury, striking same, and copies for parties, 75 cents.

Every search, where no other service is performed, to which there is any fee attached, 15 cents.

Fi. fa. or *ca. sa.*, and entering return, 60 cents.

Venditioni exponas, *levari facias*, or other writ in the nature of an execution, and entering return, 90 cents.

Entering judgment on bond or warrant of attorney, or upon confession by defendant, or on motion in open court, or for want of appearance, plea, or an affidavit of defense, and on verdict of jury, including judgment docket entry, and statement to plaintiff, 75 cents.

Entering amicable action, filing papers, stationery, and services at first court, \$1 25.

Taxing bill of costs, other than prothonotary's, 25 cents.

Re-taxing bill of costs, and report thereon, 50 cents.

Taking testimony in same, for every ten words, 2 cents.

Making return to writ of error, \$1.

Entering proceedings of Supreme Court, 50 cents.

Entering transcript of judgment from justices of the peace, including judgment docket entry, 50 cents

Entering appeal from justice, including stationery, filing papers, and services at first court, \$1 25.

Citation and seal, and motion therefor, 50 cents.

Suggesting death of a party, or diminution of record, or substituting a party, each 15 cents.

Administering oath, other than on trial of a cause, 10 cents.

Amending record on motion, et cetera, 20 cents.

Entering appointment of guardian, *ad litem*, 20 cents.

General certificate for jurors' and constables' pay, to be paid by the county, 75 cents.

Filing petition, and all papers relating to application of insolvent debtors, recording order, et cetera, \$1.

Subpoena in divorce, or *alias* subpoena, \$1.

All other proceedings in divorce, except subpoenas for witnesses, or commission to take testimony, \$2 50.

Reading and filing bill to perpetuate testimony, order of court thereon, and recording same, \$1 35.

Commission to take testimony and entering return, \$1.

Certified copy of rule to take depositions, 30 cents.

Certified copy of any other rule, 30 cents.

All proceedings on application to enforce contract, \$1.

All proceedings on petition of administrators to make deed, \$1.

All proceedings on petition for sheriff to make deed for land sold by former sheriff, \$1.

Entering acknowledgment of sheriff's or treasurer's deed, including certificate of same, \$1.

All proceedings in acknowledging a deed barring estate tail, \$1.

Filing all election returns at each general election, to be paid by the county, \$1.

Filing and docketing balances due from collectors, including judgment docket entry, each case, 25 cents.

Filing and entering county auditor's report, each case, to be paid by the county, 50 cents.

Notifying county commissioners, auditors, or directors of the poor of their elections, and time of meeting, to be paid by the county, each 15 cents.

Filing any paper not relating to any suit pending, and not hereinbefore provided for, 25 cents.

Every docket entry not relating to any suit pending, or judgment entered, and for which no provision is made in this fee bill, filing papers in same, 75 cents.

Entering rule of reference, and copy, under seal, 60 cents.

Appointment of arbitrators, and docketing the same, including proof of service of rule, 50 cents.

Each copy of rule, or notice to arbitrators, 25 cents.

Filing and entering report of arbitrators, including judgment docket entry, 50 cents.

Receiving and entering appeal from award of arbitrators, taking recognizance and affidavit, receiving and paying costs, 75 cents.

Filing petition in lunacy, or habitual drunkard, and entering order of court thereon, \$1.

Issuing commission and entering return, \$1.

Writ to sheriff, 75 cents.

Entering confirmation of inquisition, and appointment of committee, \$1.

Taking and filing bond of committee, 50 cents.

All services on sale of lunatics' estate, or habitual drunkard, including the filing of committee's account, \$2.

Filing each subsequent annual account thereafter, 50 cents.

Transmitting to Secretary of the Commonwealth copies of election returns, for each person returned, to be paid by the county, 25 cents.

Writ of *habeas corpus* and proceedings thereon, \$1.

Application for maintenance or alimony, \$1.

Filing and entering mechanic's lien, \$1.

Entering *scire facias* to continue lien on judgment docket, 25 cents.

Entering ejectment suit on ejectment index, 25 cents.

Entering *testatum, fi. fa., cu. sa.,* or *venditioni exponas*, \$1.

Furnishing list of liens, except certificate and seal, each judgment, 10 cents.

Receiving and distributing money paid into court, for each dollar under five hundred, 2 cents. For each dollar exceeding five hundred, 1 cent.

The fees for services not specially provided, is the same as for similar services. (a)

SECTION 9. In Allegheny county, the prothonotary receives an annual salary of \$6,000, payable monthly, out of the county treasury, and the fees received by him belong to the county. (b) The fees to be received by him, for the use of the county, are as follows:

On each suit or proceeding settled, discontinued, or satisfied, at or before issue or judgment by default, including all argument list services that may be thereon, with satisfaction thereof, \$2.

On each case tried by jury and determined by judgment, including satisfaction, \$3.

On each case removed by writ of error to Supreme Court, including return on additional, \$1.

(a) Act of 1863, § 3, P. L. p. 5.

(b) Act of 1876, § 13, 5, 6, and 1, P. L. p. 16, 14, 15, and 13.

On each writ of *fiery facias*, *testatum fiery facias*, or *capias ad satisfaciendum*, 50 cents.

On each writ of *haberi facias possessionem*, *levari facias*, *venditioni exponas*, 75 cents.

For entering satisfaction of any judgment or decree not hereinbefore provided for, 50 cents.

On each proceeding for divorce, charters of incorporation, benefits of insolvent laws, and against lunatics and habitual drunkards, for all services thereon, \$2 50.

Taking recognizance in bail for stay, *capias*, case, and for dissolving attachments, which includes filing of bonds, \$1.

Issuing subpoena, under seal, 25 cents.

Issuing attachments for jurors or witnesses, under seal, each writ, certificate of any kind, with seal of one court, 50 cents.

Certificate requiring seal of both courts, every seal, where whole certificate is not required, 25 cents.

Copying or engraving any record, for each page of legal cap, 30 cents.

Entering acknowledgments for sheriff's deeds, including certificates, \$1.

Furnishing list of liens, above certificate, for each judgment, 20 cents. (a)

And all fees not provided for are to be taxed as ascertained and appointed in the act of 1863, P. L. p. 3. (b)*

SECTION 10. In the city and county of Philadelphia, the prothonotary receives an annual salary of \$10,000, payable monthly, out of the city treasury, and the fees to be received by him belong to the city. (c)

Sheriffs.

SECTION 11. The fees to be received by sheriffs, except in counties having more than one hundred and fifty thousand and less than ten thousand inhabitants are as follows:

For serving *capias*, with commitment or bail bond and return, \$1.

Each defendant besides the first, 40 cents.

Assigning bail bond, 10 cents.

Serving summons or *certiorari*, summons in partition of landlord against tenant, *scire facias*, replevin or foreign attachment, 75 cents.

Each defendant besides the first, 25 cents.

For copy of summons or replevin, 25 cents.

For copy of *scire facias* or foreign attachment, 25 cents.

For taking and filing replevin or attachment bond, or other indemnification, to be furnished by the sheriff, 35 cents.

Traveling expenses on each writ, for each mile necessarily traveled, (mileage to be charged only on one writ where there are two or more in sheriff's hands at the same time in favor of same plaintiff and against same defendant,) 4 cents.

Delivering lands to creditor, his agent or attorney, (no commission in such case to be taken,) 25 cents.

Receiving and paying money to plaintiff or his attorney, recovered upon any process, decree, or order of court, for every dollar not exceeding five hundred, in addition to fee for executing writ, 1 cent, and for every dollar exceeding five hundred, $\frac{1}{2}$ cent: *Provided*, That his commission in no case shall exceed the sum of one hundred dollars.

The same commission to be allowed where money is paid to plaintiff or sheriff with or without sale; if paid without sale, no commission shall be allowed on more than is paid over to creditor.

Advertising goods for sale, (advertising fee to be allowed on only one writ in case there are two or more writs in sheriff's hands at same time against same defendant,) \$2 25.

* Fees fixed by this act are the same as those to be received by prothonotaries in counties containing less than ten thousand inhabitants.—See *ante*.

(a) Act of 1871, § 14, P. L. p. 480.

(b) Act of 1872, § 5, P. L. p. 210.

(c) Act of 1876, § 12, 5, 6, and 1, P. L. p. 16, 14, 15, and 13.

Advertising lands for sale, in addition to printer's bill, (advertising to be limited as in case of personal property,) \$2 25.

Vendue crier, for each sale, 75 cents.

Summoning jury, taking inquisition and return, \$3.

When the sheriff shall have more than one writ of execution against the same defendant, returnable to the same term, he shall be allowed costs for only one inquisition, but it shall be his duty to lay said writ before the jury, and enter the finding thereon and make return thereof, for which he shall be entitled, on each writ, 50 cents.

Executing writs and orders of partition or valuation, swearing jury and return, for each day, \$2 50.

Deed for sale of land, including fee to the prothonotary for acknowledgment, to be paid by the purchaser, \$2 50.

Executing *habere facias, retorno habendo, levare facias, fieri facias, venditioni exponas, or liberari facias*, each, 75 cents.

Return of *non est inventus, tarde venit, or nulla bona*, 20 cents.

Serving subpoena, each service, 10 cents.

Subpoena in divorce, \$1.

Proclamation in divorce, in addition to printer's bill, \$1 50.

Serving process on indictment, \$1.

Fee on indictment in every capital case, \$2 50.

Fee on every other criminal case, \$1.

Levying fines, per dollar, 3 cents.

Fee for discharging prisoner in civil case, 25 cents.

Fee on commitment for any criminal matter, 40 cents.

Serving attachment against witness or for contempt, 75 cents.

Serving citation and return, 50 cents.

Executing bail piece, 75 cents.

Executing death warrant, \$15.

Advertising general or special election, in addition to printer's bill, to be paid by the county, 75 cents.

Where no paper is printed in county, \$5.

In special election, serving notice on judge of each election district, 75 cents.

For each juror summoned to attend at court and return of *venire*, to be paid by the county, without mileage, 25 cents.

Appraisement and return of property retained by debtor under the provisions of the act of April 9, 1849, \$2.

Removing insane person to any lunatic hospital, for each day spent, in addition to expenses actually incurred, and no mileage to be charged, \$4.

Removing convict to penitentiary or house of refuge, for each day spent in addition to expenses actually incurred, and no mileage to be allowed, \$4.

Serving any rule, process, decree, or order of court, not hereinbefore specially provided for, in addition to mileage, 75 cents.

For services not herein provided for, the same fees as for similar services.

It shall be the duty of the sheriff to itemize his bill of cost on each and every writ or paper that he is entitled to cost, on or before returning the same. (a)

SECTION 12. In counties containing less than ten thousand inhabitants, the fees to be received by sheriffs are as follows:

Serving *capias*, with commitment or bail bond, and return, \$1 25; each defendant, besides the first, 50 cents.

Assigning bail bonds, 25 cents.

Serving summons or *certiorari* summons in partition of landlord against tenant, *scire facias*, replevin, or foreign attachment, \$1; each defendant, besides the first, 50 cents.

Copy of summons, 25 cents.

(a) Act of 1878, § 1, P. L. p. 187.

Copy of *scire facias*, replevin, or foreign attachment, 40 cents.

Taking and filing replevin or attachment bond, or other indemnification to be furnished by the sheriff, 50 cents.

Traveling expenses on each writ, for each mile traveled, 6 cents.

Delivering lands to creditor or his agent or attorney, and no commission in such case to be taken, \$2 40.

Receiving and paying money to plaintiff or his attorney, recovered upon any process, decree, or order of court, for every dollar not exceeding five hundred, in addition to fee for executing writ, 2 cents.

For every dollar above five hundred, one half cent.

Same commission to be allowed where money is paid, with or without sale; if paid without sale, no commission shall be allowed for more than is paid over to creditor.

Advertising goods for sale, each case, \$2 75.

Advertising lands for sale, each case, in addition to printer's bill, \$2 70; vendue crier, for each sale, \$1.

Summoning jury, taking inquisition, and return, \$4.

When sheriff shall have more than one writ of execution against same defendant, returnable to the same term, he shall be allowed costs for only inquisition, but it shall be his duty to lay said writs before the jury, and enter the finding thereon, and make return thereof, for which he shall be entitled, on each writ, 60 cents.

Executing writs and orders of partition or valuation, swearing jury, and return, for each day, \$3.

Deed for sale of land, including fee to prothonotary for acknowledgment, to be paid by the purchaser, \$3.

Executing *habere facias*, *retorno habendo*, *levari facias*, *fieri facias*, *venditioni exponas*, or *liberari facias*, each, \$1.

Return of *non est inventus*, *tardi venit*, or *nulla bona*, 25 cents.

Serving subpoena, each service, 15 cents.

Subpoena in divorce, \$1 25.

Making proclamation in divorce, in addition to printer's bill, \$1 50.

Serving process on indictment, \$1 25.

Fee on indictment, in every capital case, \$3.

Fee on every other criminal case, \$1 25.

Levying fines, per dollar, 3 cents.

Fee for discharging prisoners in civil cases, 50 cents.

Fee on commitment for any criminal matter, 50 cents.

Serving attachment against witness or for contempt, \$1.

Serving citation, and return, 75 cents.

Executing bail piece, \$1.

Executing death warrant, \$15.

Advertising general or special election, in addition to printer's bill, to be paid by the county, \$1.

Where no paper is printed in the county, \$5.

In special election, serving notice on judge of each election district, 75 cents.

For each juror summoned to attend at court, and return of venire, to be paid by the county, without mileage, 30 cents.

Appraisal and return of property retained by a debtor, under the provisions of the act of April 9, 1849, \$2 50.

Removing insane person to any lunatic hospital, for each day spent, in addition to expenses actually incurred, \$4.

Removing convict to penitentiary or house of refuge, for each day, in addition to all expenses, \$4.

Serving any rule, process, decree, or order of court, not hereinbefore specially provided for, in addition to mileage, and to be recovered as other fees, from the party for whom the services were performed, or against whom the judgment, decree, or order is made, \$1.

For service not herein provided for, the same fees as for similar services. (a)

(a) Act of 1868, § 2, P. L. p. 3.

Sheriff's fees for executing process out of the orphans' court are the same as those allowed for like services, and for executing a writ of sequestration, the same fees are allowed as upon a writ of foreign attachment, together with reasonable costs and expenses, according to the discretion of the court: on all writs and process sent from another county, no mileage is to be allowed, except for distance actually traveled, but an allowance is to be made for the transmission of such writs and process to the clerk of the court from which they may have issued, at the common rates of postage. (a)

SECTION 13. In Allegheny county, the sheriff receives an annual salary of six thousand five hundred dollars, payable monthly out of the county treasury, and the fees received by him belong to the county. (b)

The fees to be received by him for use of the county, are as follows:

The fees to be received by the sheriff of the said county, shall be as follows:

For serving each summons, *capias*, *scire facias*, replevin, foreign, or execution attachment, subpoena in divorce, summons in partition, citation or rule, or for executing any bail piece, landlord against tenant, process, or order of court, attachment against witness or for contempt, in addition to mileage, \$1.

Each defendant, besides the first, 50 cents; mileage, for each mile actually traveled, 6 cents.

Executing *fiery facias*, *testatum fieri facias*, *haberi levare facias*, *liberari facias*, *venditioni exponas* or *retorno habariri*, \$1.

Summoning jurors for inquisition, taking inquisition and return, \$1,

Where more than one writ against same defendant before inquisition, each \$2.

Executing writ and orders of partition or valuation, including serving jury and return, each day, besides mileage, \$2.

For return of *nulla bona*, *tarde venit*, or *non est inventus*, 40 cents.

Deed for sale of lands, to be paid by the purchaser, \$2.

Receiving and paying money to plaintiff, or his attorney, recovered upon any process, decree, or order of court, by sale or otherwise, for every dollar not exceeding five hundred, in addition to fee for executing writ, one per cent.; any sum exceeding five hundred dollars and not over one thousand, inclusive of one per cent. on the first five hundred, \$6.

Any sum exceeding one thousand and not over five thousand of the above, \$10.

Any sum exceeding five thousand, inclusive of the above, \$15.

Fee on every criminal case in quarter sessions court, whether paid by the prisoner or county, \$1.

Fee on every case inoyer and terminer, \$2 50.

Fee on commitment to the county jail, for any criminal matter, 50 cents.

Executing death warrant, \$15.

Commission on fines per dollar, 5 cents.

Removing insane persons to lunatic hospital, or convict to the penitentiary, work-house, or house of refuge, including expenses incurred, \$2 50.

For services in drawing and summoning a competent number of jurors for the several courts, each year, and return of venue, to be paid by the county, without mileage, \$1,200.

Advertising general or special election, \$2.

Taking any bail bond, including replevin, attachment bond, or any other indemnification to be furnished, \$1.

For selling real estate, under decree or order of any court, for any sum not exceeding five hundred dollars, for each dollar, 1 cent; any sum exceeding five hundred and not over one thousand dollars, \$6; any sum

(a) Act of 1832, § 60, P. L. p. 213.

(b) Act of 1876, § 13, 5, 6, and 1, P. L. p. 16, 14, 15, and 13.

exceeding one thousand and not over five thousand, \$10; any sum exceeding ten thousand and not over twenty, \$15. (a)

And all fees not provided for are to be taxed as ascertained and appointed in the act of 1868, P. L. p. 3. (b)*

SECTION 14. In the city and county of Philadelphia, the sheriff receives an annual salary of fifteen thousand dollars, payable monthly out of the city treasury, and the fees to be received by him belong to the city. (c)

Registers of Wills.

SECTION 15. The fees to be received by registers of wills, except in counties having more than one hundred and fifty thousand, and less than ten thousand inhabitants, are as follows:

For probate of will and granting letters testamentary thereon, \$1.

For recording same, for every ten words, 1 cent.

For letters of administration, 75 cents.

For bond of administrators, \$1 50.

For filing of renunciation of widow, executor, guardian, or administrator, 50 cents.

For annexing copy of will, for every ten words, 1 cent.

For issuing citation or attachment with seal, 50 cents.

For entering *caveat*, 25 cents.

For issuing commission to take testimony of witness, 50 cents.

For issuing precept for an issue, 40 cents

For issuing a subpoena, 30 cents.

For administering oath or affirmation, 10 cents.

For filing list of articles appraised and for list of articles sold, each list, 25 cents.

For examining, passing, and filing accounts of guardians, executors, or administrators, \$2 50.

For advertising executor's, administrator's, or guardians account, \$2.

For every copy of said accounts, if demanded, not exceeding seventy-five items, with certificate and seal, \$1.

For every additional item, 1 cent.

For entering exceptions to administrators' or executors' bonds and hearing the same, 50 cents.

For every search where no other service is performed to which a fee is attached, 15 cents.

For certificate and seal, 25 cents.

For copy of any bond filed, 50 cents.

For commission on taxes received for the use of the Commonwealth on proceedings in his office, for every dollar, 3 cents: *Provided*, That in all cases where the estate of the decedent shall not exceed two hundred and fifty dollars, the register shall receive in lieu of all the fees for official services hereinbefore specified, to be performed after the granting letters, the sum of \$2; the register to demand and receive for the use of the Commonwealth on every probate of a will and letters testamentary thereon, 50 cents.

On every letter of administration, 50 cents.

Same fee for services not herein specially provided for as for similar services. (d)

In counties containing less than ten thousand inhabitants their fees are as follows:

For probate of wills and granting letters testamentary thereon, \$1 25.

For recording same, for every eight words, 1 cent.

For letters of administration, \$1.

For bonds of administrators, \$1 75.

* Fees fixed by this act, are the same as the fees to be received by sheriffs in counties containing less than ten thousand inhabitants.—See *ante*.

(a) Act of 1871, § 14, P. L. p. 480.

(b) Act of 1872, § 5, P. L. p. 210.

(c) Act of 1876, § 12, 5, 6, and 1, P. L. p. 16, 14, 15, and 13.

(d) Act of 1878, § 8, P. L. p. 193.

For filing of renunciation of widow, executor, guardian, or administrators, 50 cents.

For annexing a copy of will, for every eight words, 1 cent.

For issuing citation, or attachment with seal, 60 cents.

For entering caveat, 25 cents.

For issuing commission to take testimony of witnesses, 75 cents.

For issuing precept for an issue, 50 cents.

For issuing subpoena, 40 cents.

For administering oath or affirmation, 10 cents.

For filing lists of articles appraised, and lists of articles sold, each 25 cents.

For examining, passing, and filing accounts of guardians, executors or administrators, \$3.

For advertising executor's, administrator's, or guardian's account, \$2 50.

For every copy of said accounts, if demanded, not exceeding seventy-five items, \$1 25.

For every additional item, 1 cent.

For entering exceptions to administrator's or executor's bonds and hearing the same, 75 cents.

For holding register's court, per day, \$2 50.

For each search, when no other service is performed, 15 cents.

For certificate and seal, 45 cents.

For copy of any bond filed, 50 cents.

For commission on taxes received for the use of the Commonwealth in proceedings in office, on every dollar, 3 cents.

Provided, That in all cases where the value of the estate of the decedent shall not exceed two hundred and fifty dollars, the register shall receive, in lieu of all the fees for official services hereinbefore specified, to be performed after the granting letters, the sum of \$2 50.

Register to demand and to receive, for the use of the Commonwealth, on every probate of a will, and letters testamentary thereon, 50 cents.

On every letter of administration granted, 50 cents.

Same fee for services not herein specially provided for, the same as for similar services. (a)

SECTION 16. In the county of Allegheny and the city and county of Philadelphia, where separate orphans' courts exist, the register of wills receives, in the former county, an annual salary of \$3,500, and in the latter an annual salary of \$10,000, payable monthly, out of the county treasury, and the fees to be collected by the register belong to the county; (b) and the bill of costs to be chargeable to parties and estates, for the probate of wills and testaments, and granting letters testamentary and administration, and for all services of the register of wills in the transaction of the business of his office, is established by such separate orphans' courts. (c)

Recorders of Deeds.

SECTION 17. The fees to be received by recorders of deeds, except in counties having more than one hundred and fifty thousand and less than ten thousand inhabitants, are as follows:

For recording and exemplifying deeds and other writings, for every ten words, 1 cent.

Certificate and seal, 40 cents.

Every search, where no other service is performed for which fees are allowed, 15 cents.

Entering satisfaction, 25 cents.

Certificates, 25 cents.

Taking acknowledgment of deeds or other writing, each person, 25 cents.

All fees for services of the recorder of deeds, under this act, shall be considered due and payable in advance: *Provided*, That but one fee for

(a) Act of 1868, § 7, P. L. p. 10.

(c) Act of 1877, § 1, P. L. p. 37.

(b) Act of 1876, § 12, 13, 5, 6, and 1, P. L. p. 16, 14, 15, and 13.

certificate and seal shall be charged where the certificate is that of a search embracing the names of two or more parties. (a)

SECTION 18. In counties containing less than ten thousand inhabitants, their fees are as follows:

For recording and exemplifying deeds and other writings, for every eight words, 1 cent.

Certificate and seal, 50 cents.

Every search, when no other is performed for which fees are allowed, 20 cents.

Entering satisfaction, 30 cents.

Certificates, 30 cents.

Taking acknowledgment of a deed or other writing, each person, 25 cents.

All fees for services to be performed to be considered due and payable to the officer in advance, by the party requiring the service. (b)

SECTION 19. In Allegheny county, the recorder of deeds receives an annual salary of \$5,000, payable monthly, out of the county treasury, and the fees to be received by him belong to the county. (c)

The fees to be received by the recorder of deeds, for the use of the county, are as follows, viz:

For services for recording mortgages, including State tax, \$2.

For recording charters, including State tax, \$2.

Recording any deed, including State tax, \$1 75.

Recording power of attorney, \$1.

Recording any other paper, \$1.

Certificate and seal, 50 cents.

Entering satisfaction, 50 cents.

Taking acknowledgments, each person, 25 cents.

Every search, where no certificate is required, 50 cents.

List of mortgages, in addition to certificate and seal, for each mortgage, 25 cents. (d)

And all fees not provided for are to be taxed as ascertained and appointed in the act of 1868, P. L. p. 3. (e)*

SECTION 20. In the city and county of Philadelphia, the recorder of deeds receives an annual salary of \$12,000, payable monthly, out of the city treasury, and the fees to be received by him belong to the city. (f)

Clerks of Orphans' Courts.

SECTION 21. The fees to be received by clerks of the orphans' courts, except in counties having more than one hundred and fifty thousand, and less than ten thousand inhabitants, are as follows:

For filing and entering petition for appointment of guardian, and issuing certificate of appointment, 75 cents.

Filing and entering list of property selected and retained by widow, under act of Assembly, 40 cents.

Entering judgment, order, or rule of court, 20 cents.

Confirmation of accounts of executors, administrators, or guardians, \$1.

Filing petition for pension, order, copy, and seal, 40 cents.

All proceedings on inquisition on real estate, including petition, order, return, confirmation, rule, and recording, \$2 25.

Taking and docketing recognizances, 25 cents.

All proceedings for sale of real estate, \$3.

Filing and entering bond, 20 cents.

Entering motion, and rule of court thereon, 20 cents.

Issuing subpoena and seal, 25 cents.

Each name after first, 2 cents.

* Fees fixed by this act are the same as the fees to be received by recorders of deeds in counties containing less than ten thousand inhabitants.—See *ante*.

(a) Act of 1873, § 4, P. L. p. 191.

(d) Act of 1871, § 4, P. L. p. 432.

(b) Act of 1868, § 3, P. L. p. 10.

(e) Act of 1872, § 5, P. L. p. 210.

(c) Act of 1876, § 13, 5, 6, and 1, P. L. p. 16, 14, 15, and 13.

(f) Act of 1876, § 12, 5, 6, and 1, P. L. p. 16, 14, 15, and 13.

Issuing citation with seal, and recording or filing petition therefor, 40 cents.

Issuing attachments with seal, and recording or entering petition therefor, 40 cents.

Copy of record or any paper filed, or any part thereof, for every ten words, 1 cent.

Every search, where no other service is performed to which fee is attached, 15 cents.

Filing any paper not specially provided for, 10 cents.

Recording a draft, 20 cents.

Making out order under seal to auditors appointed to apportion intestates' property among creditors, and to auditors appointed to settle and adjust accounts of administrators, executors, or guardians, 75 cents.

Filing auditor's report, and entering approval of court thereon, 15 cents.

Copy of said report for either party, each item, 1 cent.

Accounts of administrators, executors, guardians, and auditors' reports, for every ten words or every twenty figures, 1 cent.

Certificate and seal, 25 cents.

Same fee for services not herein specially provided for as for similar services, (a)

SECTION 22. In counties containing less than ten thousand inhabitants, their fees are as follows:

For filing and entering petition for appointment of guardian, and issuing appointment, \$1.

Filing and entering list of property selected and retained by widow, under act of Assembly, 50 cents.

Entering judgment, order, or rule of court, 25 cents.

Confirmation of accounts of executors, administrators, or guardians, \$1 25

Filing petition for pension, order, copy, and seal, 45 cents.

All proceeding on inquisition on real estate, including petition, order, return, confirmation, rule, and recording, \$2 75.

Taking and docketing recognizances, 40 cents.

All proceedings for sale of real estate, \$3 50.

Filing and entering bond, 30 cents.

Entering motion, and rule of court thereon, 25 cents.

Issuing subpoena and seal, 30 cents.

Each name after the first on such subpoena, 2 cents.

Issuing citation with seal, and recording or filing petition therefor, 50 cents.

Issuing attachments with seal, and recording or entering petition therefor, 50 cents.

Copy of record or any paper filed, or any part thereof, for every eight words, 1 cent.

Every search, when no other service is performed, 15 cents.

Filing any paper not especially provided for, 15 cents.

Recording a draft, 25 cents.

Making out order under seal to auditors appointed to apportion intestates' property among creditors, and to auditors appointed to settle and adjust accounts of administrators, executors, or guardians, 75 cents.

Filing auditor's report, and entering approval of court thereon, 20 cents.

Copy of said report for either party, each item, 1 cent.

Accounts of administrators, executors, or guardians, and auditors' report, for every eight words or every sixteen figures, 1 cent.

Certificate and seal, 30 cents.

Same fee for services not herein specially provided for as for similar services. (b)

SECTION 23. In Allegheny county, the register of wills is by virtue of his office, clerk of the orphans' court, (c) and is paid by salary, from

(a) Act of 1873, § 7, P. L. p. 193.

(b) Act of 1863, § 6, P. L. p. 9.

(c) Constitution, Art. 5, § 22; act of 1874, § 5, P. L. p. 207.

the county treasury, and the fees to be received by him belong to the county.*

The fees to be collected by the register of wills of Allegheny county as clerk of the orphans' court of said county, for use of said county, are as follows :

For entering accounts of executors, administrators, guardians, and trustees, \$1 25.

For each confirmation of reports of auditors, 25 cents.

For taking affidavits under seal, 50 cents.

For issuing certificates to auditors, guardians, and trustees, 75 cents.

For filing and entering petition for the appointment of a guardian, \$1.

For each name after first, 25 cents.

For certifying under seal for pensions, 25.

For filing and entering petition for inquest to make partition of decedents' estate, issuing writ to sheriff, filing and entering return thereof, filing and entering decree awarding purparts, filing and entering proceedings for sale of real estate and return thereof, filing and entering reports of auditors, et cetera, for the first one hundred words, 50 cents, and per one hundred words thereafter, 30 cents.

For filing and entering confirmation of inquisition, 35 cents.

For filing and entering bonds, 30 cents.

For entering, filing, and issuing rule on heirs in partition under seal, 75 cents.

For entering draft, for each line or course thereof, 25 cents.

For taking and entering each recognizance, \$1.

For issuing each order of sale under seal, \$2.

For filing each schedule, confirmation of sales, or any paper not herein specially provided for, 30 cents.

For filing and entering petition for citation, and issuing under seal, \$1 75.

For issuing attachment under seal, 75 cents.

For copy of record of any paper filed, first one hundred words or less, 50 cents, and every item or eight words thereafter, 1 cent.

For every search, 25 cents.

For filing and entering appeals to Supreme Court, \$1.

For writing and attesting receipts, or either, 50 cents.

For each entry upon argument list, 50 cents.

For entering satisfaction of recognizance, 50 cents.

For entering and filing list of property retained by widow of decedents, \$1.

For receiving and distributing money paid into court, 1 per cent. for first five hundred dollars, and $\frac{1}{2}$ of 1 per cent. per dollar above that sum. (a)

SECTION 24. In the city and county of Philadelphia, the register of wills is, by virtue of his office, clerk of the orphans' court, (b) and is paid by salary from the city treasury, and the fees to be received by him belong to the city.*

Clerks of Courts of Quarter Sessions.

SECTION 25. The fees to be received by clerks of courts of quarter sessions, except in counties having more than one hundred and fifty thousand inhabitants, and less than ten thousand inhabitants, are as follows :

Venire for and swearing grand jury, to be paid by the county, 75 cents.

Filing and entering, if necessary, all papers relating to one prosecution, where true bills are found, including arraignment of defendant, entering pleas, and stationery, \$1.

The same services, where bill is returned *ignoramus*, including discharge by proclamation, 50 cents.

* See Register of Wills, *ante*.

(a) Act of 1872, § 4, P. L., p. 209.

(b) Constitution, Art. § 5, 22; act of 1874, § 5, P. L. p. 207.

- Calling recognizance and entry of forfeiture, 15 cents.
 Taking recognizance in court, each person, 20 cents.
 Respite or discharging forfeited recognizances and motion therefor, 10 cents.
 Every motion and rule, 25 cents.
 Continuance, 10 cents.
 Entering retraction of pleas or *nolle prosequi*, 20 cents.
 Entering submission and judgment, 50 cents.
 Swearing jury, witnesses, constable, and entering verdict and judgment, 50 cents.
 All services in cases of surety of the peace, except subpoenas or attachments, or for taking recognizance, 40 cents.
 Process on indictment, docket entry, and return, 75 cents.
 Copy of rule or order of court, with certificate and seal, 30 cents.
 Filing petition and order thereon, 20 cents.
 Filing petition for view or re-view of road or bridge, and order under seal, 75 cents.
 Recording return of viewers and confirmation, for every ten words, 1 cent.
 Order to open road, under seal, with draft thereof, \$1.
 Certificate for pay of road or bridge viewers, to be paid by the county, each case, 20 cents.
 Constable's bond, 20 cents.
 Receiving and entering constable's return, to be paid by county, 15 cents.
 Filing and recording returns of borough and township elections, for each person elected, to be paid by the county, 10 cents.
 Issuing subpoena under seal, 25 cents.
 Each name after first, 2 cents.
 Issuing attachment, entering motion therefor, and return, 40 cents.
 Copy of record, or of any paper filed, for every ten words, 1 cent.
 Certificate and seal, 25 cents.
 Every search, where no other service is performed to which any fee is attached, 15 cents.
 Taxing costs, other than the clerk of the sessions, 20 cents.
 Re-taxing parties' bills of costs and making report, 40 cents.
 Making return to writ of error, 75 cents.
 Entering proceedings of Supreme Court, 40 cents.
 Entering appeals from justices, 40 cents.
 Certificate for pay of jurors, crier, and constables, to be paid by county, 75 cents.
 Issuing notices to defaulting jurors, each, 25 cents.
 Issuing *fi. fa.* against defaulting jurors, 40 cents.
 Filing any paper not relating to any suit pending and not hereinbefore provided for, 15 cents.
 All proceedings in tavern or eating-house licenses, except certificate, 75 cents.
 All proceedings on peddler's licenses, 75 cents.
 Every warrant of seizure and proceeding thereon, \$1.
 The fees for services, not herein specially provided for, shall be the same as for similar services. (a)
- SECTION 26. In counties containing less than ten thousand inhabitants, their fees are as follows:
- Venue for and swearing grand jury, to be paid by the county, 90 cents.
 Filing and entering, if necessary, all papers relating to one prosecution where true bills are found, including arraignment of defendant, entering pleas, and stationery, \$1 50.
 The same service where bill is returned "ignoramus," including discharge by proclamation, 75 cents.
 Calling recognizance, and entry of forfeiture, 20 cents.

Taking recognizance in court, each person, 25 cents.

Respiring or discharging forfeited recognizance and motion therefor, 15 cents.

Every motion and rule, 25 cents.

Continuance, 10 cents.

Entering retraction of pleas, or *nolle prosequi*, 20 cents.

Entering submission and judgment, 60 cents.

Swearing jury, witnesses, constable, and entering verdict and judgment, 60 cents.

All services in cases of surety of the peace, except subpoenas, or attachments, or for taking recognizances, 60 cents.

Process on indictment, docket entry, and return, 75 cents.

Copy of rule or order of court, with certificate and seal, 40 cents.

Filing petition and order thereon, 20 cents.

Filing petition for a view or re-view of a road or bridge, and order under seal, 90 cents.

Recording return of viewers and confirmation, for every eight words, 1 cent.

Order to open road, under seal, \$1 25.

Certificate for pay of road or bridge viewers, to be paid by the county, each case, 30 cents.

Constable's bond, 25 cents.

Receiving and entering constable's return, to be paid by county, 15 cents.

Filing and recording returns of borough and township elections, each person elected, to be paid by the county, 10 cents.

Issuing subpoena, under seal, 30 cents.

Each name after the first, 2 cents.

Issuing attachment, entering motion therefor, and return, 40 cents.

Copy of record, or of any paper filed, for every eight words, 1 cent.

Certificate and seal, 30 cents.

Every search, where no other service is performed to which any fee is attached, 15 cents.

Taxing costs other than the clerk of the session, 25 cents.

Re-taxing parties' bill of costs, and making report, 50 cents.

Making return to writ of error, \$1.

Entering proceedings of Supreme Court, 40 cents.

Entering appeal from justices, 40 cents.

Certificates for pay of jurors, crier, and constable, paid by the county, 75 cents.

Issuing notices to defaulting jurors, each 25 cents.

Issuing *fi. fa.* against defaulting jurors, 50 cents.

Filing any paper not relating to any suit pending, and not hereinbefore provided for, 15 cents.

All proceedings in tavern or eating-house licenses, except certificate, \$1.

All proceedings on peddlers' license, \$1.

Every warrant of seizure and proceedings thereon, \$1.

The fees for services not herein specially provided, shall be the same as for similar purposes. (a)

SECTION 27. In Allegheny county, the clerk of the courts of quarter sessions and oyer and terminer receives an annual salary of four thousand and five hundred dollars, payable monthly out of the county treasury, and the fees to be received by him belong to the county. (b)

The fees to be received by him for use of county, are as follows, viz:

For all services in any one prosecution in the court of oyer and terminer, where a true bill is found, including all stationery, swearing jury, entering verdict and judgment thereon, \$4.

For all services relating to one prosecution in court of quarter session, where true bills are found, including stationery, taking and forfeiting

(a) Act of 1868, § 4, P. L. p. 7.

(b) Act of 1876, § 13, 5, 6, and 1, P. L. p. 16, 14, 15, and 13.

recognizances, entering motions and rules, swearing jury, witnesses, entering verdict and judgment, \$3.

Where bill is returned *ignoramus*, \$1.

All services in cases of surety of the peace, including subpoenas on the part of the Commonwealth, and for taking recognizances, \$1.

All services in each case of road or bridge view or re-view, including entering return and confirmation thereof, \$3.

For all certificates, with seal of court, 50 cents.

Receiving and entering constables' returns, to be paid by the county, 15 cents.

For all subpoenas not hereinbefore provided for, 25 cents.

For all attachments, 50 cents.

Entering appeals from justices, 50 cents.

In all applications for licenses, whether granted or refused, including stationery, certificate, advertising, and all services thereon, besides the fee collected for the State and county, to be paid on filing petition, \$3. (a)

And all fees not provided for are to be taxed as ascertained and appointed in the act of 1833, P. L. p. 3.*

SECTION 28. In the city and county of Philadelphia, the clerk of the courts of quarter sessions and oyer and terminer, receives an annual salary of ten thousand dollars, payable monthly out of the city treasury, and the fees to be received by him belong to the city. (c)

NOTE.—Prothonotaries, clerks of the several courts, registers of wills, and recorders of deeds of all counties having less than one hundred and fifty thousand population, are required to pay into the State treasury *fifty per cent.* of all fees received by them yearly in excess of two thousand dollars clerk hire and stationery. (In case of recorders of deeds, "necessary clerk hire and office expenses.")

Sheriffs in all counties of over ten thousand and less than one hundred and fifty thousand population, are required to pay into the State treasury *fifty per cent.* of all fees received by them yearly, in excess of five thousand dollars, clerk hire and stationery. [Act of 1833, § 8, P. L. p. 11, and act of 1878, § 13, P. L. p. 195.]

Sheriffs in counties of less than ten thousand population retain all the fees they receive.

Clerks of Courts of Oyer and Terminer.

SECTION 29. The fees to be received by clerks of courts of oyer and terminer, except in counties having more than one hundred and fifty and less than ten thousand inhabitants, are as follows:

All services performed in any one prosecution where a bill is found, except for subpoenas, attachment for witnesses, or process on indictment, \$3.

When bill is returned "*ignoramus*," \$1.

For subpoena, attachment, seal and certificate, and *capias*, and other services not herein provided for, the same fees as are allowed to the clerk of quarter sessions. (d)

In counties containing less than ten thousand inhabitants, are as follows:

All services performed in any one prosecution, where a bill is found, except for subpoenas, attachment for witnesses, or process on indictment, \$4.

When bill is returned "*ignoramus*," \$1 25.

For subpoenas, attachments, seal and certificate, and *capias*, and other services not herein provided for, same fees as are allowed to clerk of quarter sessions. (e)

* Fees fixed by this act are the same as the fees to be received by the clerk of the court of quarter sessions and oyer and terminer in counties containing less than ten thousand inhabitants.

(a) Act of 1871, § 3, P. L. p. 431.

(d) Act of 1878, § 6, P. L. p. 193.

(b) Act of 1872, § 5, P. L. p. 210.

(e) Act of 1863, § 5, P. L. p. 9.

(c) Act of 1876, § 12, 5, 6, and 1, P. L. p. 16, 14, 15, and 13.

SECTION 30. In the county of Allegheny and the city and county of Philadelphia, the office of clerk of the court of quarter sessions and oyer and terminer is held by one person, and the person holding the same is paid by salary, and the fees to be received by him belong to the county. See *ante*.

District Attorneys.

GENERAL ACTS GOVERNING FEES.

SECTION 31. District attorneys of the several counties of the Commonwealth, except the city and county of Philadelphia and county of Allegheny, are entitled to receive, by general law, the following fees: (a)

Drawing indictment and prosecuting every offense indictable only in the oyer and terminer, \$10.

A bill for an offense indictable only in the oyer and terminer, and returned "*ignoramus*," \$5.

Drawing an indictment and prosecuting every offense indictable only in the quarter sessions, \$5.

A bill for an offense indictable only in the quarter sessions, and returned "*ignoramus*," \$3.

Case settled with leave of court, \$3.

Every case of surety of the peace, \$3.

SPECIAL ACTS FOR VARIOUS COUNTIES.

SECTION 32. The district attorneys in and for the counties of Adams, Bedford, Berks, Blair, Bucks, Butler, Cambria, Carbon, Centre, Clearfield, Clinton, Crawford, Cumberland, Dauphin, Delaware, Elk, Erie, Franklin, Fulton, Huntingdon, Indiana, Jefferson, Lackawanna, Lancaster, Lawrence, Lebanon, Lehigh, Luzerne, Lycoming, McKean, Mercer, Monroe, Northampton, Pike, Potter, Schuylkill, Somerset, Susquehanna, Tioga, Warren, Wayne, Westmoreland, and York, are entitled to receive the following fees: (b)

For drawing an indictment and prosecuting every offense indictable only in the oyer and terminer, \$12.

For every such bill returned *ignoramus*, \$6.

Drawing bill of indictment and prosecuting the same in the quarter sessions, wherever the prosecutor or the defendant is sentenced or required to pay the costs, or the costs are divided between them, \$7.

Drawing and prosecuting all other indictments in the quarter session, \$5.

For every bill returned *ignoramus* in the quarter sessions, and the prosecutor to pay the costs, \$5.

For every other such bill returned *ignoramus*, \$3.

A case settled with leave of court, \$5.

Every case of surety of the peace, \$5.

In Allegheny county, the district attorney receives, in lieu of fees, an annual salary of five thousand dollars, and his assistant an annual salary of one thousand five hundred dollars, (c) payable out of the county treasury, and the fees to be received and paid by him into the county treasury are as follows: (d)

For drawing bill of indictment and prosecuting the same, for every offense triable only in the court of oyer and terminer, \$6.

For every such bill returned *ignoramus*, \$4.

For drawing bill of indictment and prosecuting the same in quarter sessions, \$5.

For every such bill returned *ignoramus*, \$3.

For all cases of surety of the peace, \$3. (d)

In Beaver, Clarion, Northumberland, and Washington counties, his fees are as follows, viz:

(a) Act of 1857, § 1, P. L. p. 507.

(b) Act of 1866, § 1, P. L. p. 103; act of 1867, § 1, P. L. p. 134; *ibid.*, p. 239; act of 1868, § 1, P. L. p. 1025; act of 1870, § 1, P. L. p. 1214.

(c) Act of 1876, § 13, 5, 6, and 17, P. L. p. 16, 14, 15, and 17.

(d) Act of 1857, § 2, P. L. p. 508.

For drawing indictment and prosecuting every offense indictable only in the oyer and terminer, \$15.

Where bill is returned *ignoramus*, \$7.

Drawing indictment and prosecuting every offense indictable only in the quarter sessions, \$8.

Where bill is returned *ignoramus*, \$5.

Case settled with leave of court, \$5.

Every case of surety of the peace, (a) \$5.

In Bradford and Cameron counties, he receives, in lieu of the fees provided for by general law, the following, viz :

Drawing an indictment and prosecuting every offense indictable only in the quarter sessions, \$7.

A bill for an offense indictable only in the quarter sessions and returned *ignoramus*, \$5.

Case settled by leave of court, \$5.

Every case of surety of the peace, (b) \$5.

In Fayette county, he receives, for drawing indictment and prosecuting every offense indictable only in the oyer and terminer, \$15.

Where bill is returned *ignoramus*, \$12.

Drawing indictment and prosecuting offense indictable only in the quarter sessions, \$7.

Where bill is returned *ignoramus*, \$7.

Case settled with leave of court, \$7.

Every surety of the peace, (c) \$7.

In Greene and Sullivan counties, he receives, for drawing indictments and prosecuting every offense indictable only in the oyer and terminer, \$12.

Where bill is returned *ignoramus*, \$7.

Drawing bill of indictment and prosecuting the same in the quarter sessions, whenever the prosecutor or defendant is sentenced or required to pay the cost, or the costs are divided between them, \$6.

Drawing and prosecuting all other indictments in the quarter sessions, \$5.

For every bill returned *ignoramus* in the quarter sessions, and the prosecutor to pay the costs, \$4.

For every other such bill returned *ignoramus*, \$4.

A case settled with leave of court, \$4.

For every case of surety of the peace, (d) \$4.

In the city and county of Philadelphia, he receives out of the city treasury, in lieu of fees, an annual salary of fifteen thousand dollars, and his first assistant, six thousand dollars, his second assistant, five thousand dollars, and his third assistant, three thousand dollars, (e) and the fees of the office to be collected and paid over by him to the city treasury, are the same as those provided for the district attorney of Allegheny county, by the second section of an act, entitled "An act regulating the fees of district attorneys," approved May 14, 1857. (f)

In Tioga county, he is allowed one dollar for making the Commonwealth's bill of costs in each case, and three dollars for services upon each continuance of a case after an indictment is drawn and placed in the hands of the grand jury. (g)

Coroners.

SECTION 33. The fees to be received by coroners are as follows, to wit
Viewing a dead body, \$2 75.

(a) Act of 1365, § 1, P. L. p. 793; act 1866,

§ 1, P. L. p. 171; act 1867, § 1, P. L. p. 207, and act 1869, § 1, P. L. p. 1125.

(b) Act of 1866, § 1, P. L. p. 712; act of 1867, § 1, P. L. p. 572.

(c) Act of 1871, § 1, P. L. p. 165, and act of 1873, § 1, P. L. p. 264.

(d) Act of 1867, § 1, P. L. p. 474.

(e) Act of 1876, § 12, 5, 6, and 16, P. L. p. 16, 14, 15, and 17.

(f) Act of 1860, § 1, P. L. p. 477.

(g) Act of 1873, § 1, P. L. p. 637.

Summoning and qualifying inquest, drawing and returning inquisition, \$1 37½.

Summoning and qualifying each witness, 25 cents.

To be paid out of the goods, chattels, lands, or tenements of the slayer, (in case of murder or manslaughter,) if any be both, otherwise by the county, with mileage from the court-house to the place of viewing the body, (a) and his fees while acting as sheriff are the same as those received by the sheriff for similar services. (b)

In Allegheny county, the coroner receives an annual salary of \$2,000, payable out of the county treasury, and the fees appertaining to the office are to be collected and paid over by him to the county treasurer. (c)

In Beaver, Berks, Bucks, Lycoming, and Schuylkill counties, the fees to be received by the coroner are as follows, to wit:

Viewing a dead body, \$5 50.

Summoning inquest and returning inquisition, \$2 75.

Summoning and qualifying each witness, 25 cents.

Each mile circular traveled, to be reckoned from the court-house to the place of viewing the body, (d) 10 cents.

In Cambria county, his fees are as follows, viz:

Viewing a dead body, \$4.

Summoning and qualifying an inquest, drawing and returning inquisition, \$2 50.

Summoning and qualifying each witness, 25 cents.

Mileage at the rate of 5 cents per mile, for each mile traveled in making return. (e)

In Philadelphia city and county, he receives an annual salary of \$6,000, and his deputy, \$2,500, payable out of the city treasury, and the fees appertaining to the office are to be collected and paid over by him to the city treasurer. (f)

County Surveyors.

SECTION 34. The several county surveyors of the Commonwealth are authorized to charge and receive, for the services hereinafter mentioned, the following fees, and no more, viz:

For receiving warrant and giving receipt for the same, if required, 25 cents.

For executing warrants, not exceeding one hundred acres, \$4 50.

For each additional one hundred acres on same warrant, 75 cents.

For return of survey to Department of Internal Affairs, \$1.

For draft thereof to the warrantee, 25 cents.

For executing order of re-survey and making return thereof, same fees as for like service on original survey.

For certifying survey made by deputy, 50 cents.

For each mile necessarily traveled in going to and returning from land, (g) 10 cents.

And for serving notices on owners, agents, or occupiers of unpatented lands, they are entitled to a fee of \$5, to be paid out of the State Treasury, on warrants drawn by the Auditor General, upon the certificate of the Secretary of Internal Affairs.

And for making and returning to the Department of Internal Affairs, a survey of part of an original tract of land not patented, their fees are to be the same as for executing a warrant or survey, as now provided by law for the same quantity of acres. (h)

In Allegheny county, the county surveyor receives an annual salary

(a) Act of 1814, § 19, 6 Sm., p. 233.

(b) Act of 1873, § 2, P. L. p. 189.

(c) Act of 1876, § 13, 1, and 15, P. L. p. 16, 13, and 17.

(d) Act of 1867, § 1, P. L. p. 332; act of 1868, § 1, P. L. p. 495; act of 1868, § 1, P. L. p. 554; act of 1870, § 1, P. L. p. 695; act of 1871, § 1, P. L. p. 106; act of 1872, § 1, P. L. p. 695.

(e) Act of 1868, § 1 P. L. 412.

(f) Act of 1876, § 12, 1, and 15, P. L. p. 16, 13, and 17.

(g) Act of 1859, § 1, P. L. p. 606.

(h) Act of 1872, § 3, 4, P. L. p. 52.

of \$2,000, and when the office of county engineer and county surveyor are held by one and the same person, the salary is \$2,500 per annum. (*a*)

In Lackawanna and Luzerne counties, they receive, for filing and re-cording surveys, re-surveys, field notes, and warrants, a fee of \$1, to be paid before filing. (*b*)

In Washington county, the county surveyor is allowed to charge one hundred per cent. additional fees, for his services in the discharge of the duties of his office. (*c*)

SURVEYORS EMPLOYED ON ROAD AND BRIDGE VIEWS, AND FOR OTHER PURPOSES.

The pay of surveyors employed in road and bridge views, and in running township lines, and dividing boroughs into wards, is \$4 per day, and mileage at the rate of 10 cents per mile, for each mile necessarily traveled from their residences to the nearest point of road to be viewed or re-viewed, or on the line or lines to be run, to be paid in the same manner as is provided by law with regard to the pay of viewers, re-viewers, or commissioners to run lines, to wit: In the case of private roads, by the person or persons applying for the same, and in the case of public roads or highways and bridges, out of the county treasury, upon certificate of the clerk of the court of quarter sessions, that the services have been performed; and in cases of re-view, or a third or any subsequent view, the compensation is to be paid by the person or persons at whose instance they are employed. (*d*)

In Allegheny, Centre, and Clearfield counties, surveyors subpoenaed and attending courts as witnesses, receive \$5 per day, and usual mileage. (*e*)

County Solicitor.

SECTION 35. In Allegheny county, he receives an annual salary of \$800; (*f*) in Dauphin county, \$500 per annum; (*g*) in Lancaster county, \$500 per annum. (*h*)

County Controller.

SECTION 36. In Allegheny county, receives an annual salary of \$4,000, and in Philadelphia county, an annual salary of \$10,000. (*i*)

County Engineer.

SECTION 37. In Allegheny county, receives an annual salary of \$2,500. (*j*)

County Detective.

SECTION 38. The court of quarter sessions fixes the compensation of the county detective, which is to be paid by the county. (*k*) In Allegheny county, his salary is \$1,200 per annum. (*l*)*

Jury Commissioners.

SECTION 39. Each jury commissioner is allowed, and paid out of the county treasury, \$2 50 per day, and 4 cents per mile circular, from his residence to the court-house. (*m*)

* *Quare*—Whether this latter clause is not supplied by the former one.

(*a*) Act of 1876, § 13, P. L. p. 16.

(*b*) Act of 1873, § 3, P. L. p. 589.

(*c*) Act of 1866, § 1, P. L. p. 580.

(*d*) Act of 1874, § 1, 2, P. L. p. 133; act of 1836, § 54, 55, 56, 59, and 60, P. L. p. 563 and 564.

(*e*) Act of 1870, § 1, P. L. p. 1030; act of 1873, § 1, P. L. p. 564.

(*f*) Act of 1876, § 13, P. L. p. 17.

(*g*) Act of 1870, § 4, P. L. p. 855.

(*h*) Act of 1870, § 4, P. L. p. 161.

(*i*) Act of 1876, § 12 and 13, P. L. p. 16.

(*j*) Act of 1876, § 13, P. L. p. 17.

(*k*) Act of 1876, § 2, P. L. p. 23.

(*l*) Act of 1876, § 13, P. L. p. 17.

(*m*) Act of 1867, § 5, P. L. p. 63.

County Commissioners.

GENERAL ACT GOVERNING COMPENSATION.

SECTION 40. County commissioners receive, out of the county treasury, \$1 50 per day, for each day necessarily employed in attending to the duties of their office.(a)

SPECIAL ACTS RELATING TO THE SEVERAL COUNTIES.

SECTION 41. In ADAMS county, they receive \$2 50 per day, with usual mileage.(b) In ALLEGHENY county, an annual salary of \$2,000.(c) In ARMSTRONG county, \$2 50 per day, with usual mileage.(d) In BEAVER county, \$3 per day.(e) In BEDFORD county, \$2 per day, for every day employed, not exceeding seventy-five in each year, and for every day exceeding seventy-five in any year, the *per diem* previously allowed.(f) In BERKS county, an annual salary of \$500.(g) In BLAIR county, \$3 per day,(h) and 5 cents per mile circular for each mile traveled in the discharge of their duties.(i) In BRADFORD county, \$2 per day.(j) In BUCKS county, an annual salary of \$500.(k) In BUTLER county, \$2 50 per day.(l) In CAMBRIA county, an annual salary of \$400.(m) In CAMERON county, fifty per centum additional on the compensation allowed by law.(n) In CARBON county, \$3 per day, for every day employed, not exceeding one hundred in any one year, and for every day exceeding one hundred in any year, the *per diem* previously allowed.(o) In CENTRE county, \$3 per day.(p) In CHESTER county, \$3 per day, and 10 cents per mile for each mile traveled by the shortest route in going from their homes to the county seat, and returning to the same, mileage not to be estimated oftener than once in each week.(q) In CLARION county, \$3 per day,(r) and 10 cents per mile circular for each mile traveled in the performance of official duties, except in going to and from their homes to the county seat (s) In CLEARFIELD county, \$2 50 per day.(t) In CLINTON county, \$3 per day,(u) with usual mileage.(v) In COLUMBIA county, \$2 per day.(w) In CRAWFORD county, an annual salary of \$300, and actual and reasonable expenditures for transportation whilst attending to the construction and repair of bridges;(x) also, \$100 per annum additional compensation,(y) and \$100 per annum for services as directors of the poor.(z) In CUMBERLAND county, \$2 per day.(aa) In DAUPHIN county, \$1,200 per annum. In DELAWARE county, \$3 per day.(bb) In ELK county, \$3 per day.(cc) In ERIE county, \$3 per day,(dd) and 8 cents per mile circular, for each mile traveled on official business, in going to and from their homes to the office, and in attending courts of appeal, at each tri-ennial assessment.(ee) In FAYETTE county, \$3 per day,(ff) and additional compensation, at the rate of \$2 per day, for attending to official business requiring them to be absent from the county seat, such additional compensation not to be allowed for more than fifty days during the year of the tri-ennial assessment, nor for more than twenty days in any other year.(gg) In FOREST county,

(a) Act of 1834, § 26, P. L. p. 541.

(b) Act of 1865, § 1, P. L. p. 133.

(c) Act of 1876, § 13, P. L. p. 17.

(d) Act of 1865, § 1, P. L. p. 133.

(e) Act of 1865, § 2, P. L. p. 259.

(f) Act of 1864, § 1, P. L. p. 857.

(g) Act of 1869, § 1, P. L. 531.

(h) Act of 1864, § 1, P. L. p. 866.

(i) Act of 1870, § 1, P. L. p. 595.

(j) Act of 1857, § 1, P. L. p. 113.

(k) Act of 1867, § 1, P. L. p. 862.

(l) Act of 1866, § 1, P. L. p. 233.

(m) Act of 1872, § 2, P. L. p. 435.

(n) Act of 1865, § 1, P. L. p. 304.

(o) Act of 1865, § 1, P. L. p. 292.

(p) Act of 1865, § 1, P. L. p. 517.

(q) Act of 1837, § 1, P. L. p. 133.

(r) Act of 1873, § 1, P. L. p. 452.

(s) Act of May 21, 1871, § 1, P. L. p. 1102.

(t) Act of 1865, § 1, P. L. p. 307.

(u) Act of 1872, § 1, P. L. p. 411.

(v) Act of 1865, § 1, P. L. p. 133.

(w) Act of 1865, § 1, P. L. p. 140.

(x) Act of 1863, § 1, P. L. p. 34.

(y) Act of 1865, § 1, P. L. 492.

(z) Act of 1867, § 1, P. L. p. 1089.

(aa) Act of 1861, § 1, P. L. p. 213.

(bb) Act of 1864, § 1, P. L. p. 427.

(cc) Act of 8 2, § 1, P. L. p. 411.

(dd) Act of 1835, § 1, P. L. p. 478, and act

of 1867, § 1, P. L. p. 203.

(ee) Act of 1853, § 13, P. L. p. 182, and act

of 1834, § 1, P. L. p. 423.

(ff) Act of 1859, § 1, P. L. p. 117.

(gg) Act of 1838, § 1, P. L. p. 131.

\$3 per day, and 10 cents per mile for each mile traveled, by shortest route, in going to and from their homes to the county seat, mileage not to be estimated oftener than once each week. (*u*) In FRANKLIN county, \$2 50 per day, (*b*) and 6 cents per mile circular, for every mile traveled on official duties, but to receive no mileage for traveling in holding the triennial appeals. (*c*) In FULTON county, \$2 per day. (*d*) In GREENE county, \$3 per day. (*e*) In HUNTINGDON county, \$3 per day. (*f*) In INDIANA county, \$2 50 per day, for each day necessarily employed within the office, and \$1 additional, for traveling expenses, for each day employed outside of the office. (*g*) In JEFFERSON county, \$3 per day. (*h*) In JUNIATA county, \$2 per day, (*i*) and 6 cents per mile circular, for every mile necessarily traveled in the discharge of their official duties. (*j*) In LACKAWANNA* county, an amount fixed by the court of quarter sessions, at the January sessions, not to exceed \$3 50 per day, (*k*) and 4 cents per mile for each mile traveled in going to and from their homes to the office, (such mileage not to be allowed oftener than twice a month,) and the like mileage for any bridge views. (*l*) In LANCASTER county, \$3 per day, and 10 cents per mile for every mile traveled in the discharge of their official duties. (*m*) In LAWRENCE county, \$3 per day. (*n*) In LEBANON county, \$1 50 per day, but not to exceed \$150 per annum. (*o*) In LEHIGH county, \$3 per day, (*p*) and 5 cents per mile circular for each mile traveled in the discharge of official duties, mileage to and from the county seat not to be chargeable oftener than once a week. (*q*) In LUZERNE county,† an amount fixed by the court of quarter sessions, at January sessions, not to exceed \$3 50 per day, (*r*) and 4 cents per mile for each mile traveled in going to and from their homes to the office, (such mileage not to be allowed oftener than twice a month,) and the like mileage for bridge views. (*s*) In LYCOMING county, \$2 50 per day, with usual mileage. (*t*) In McKEAN county, \$2 50 per day. (*u*) In MERCER county, \$3 50 per day, (*v*) and for traveling expenses, such an amount as the county auditors think reasonable, and any citizen dissatisfied with the allowance, may appeal to the court of common pleas, which court is to investigate, and decide upon the same. (*w*) In MIFFLIN county, \$2 50 per day. (*x*) In MONROE county, \$2 50 per day, (*y*) and 4 cents per mile circular for each mile traveled in the discharge of their duties. (*z*) In MONTGOMERY county, an annual salary of \$800. (*aa*) In MONTGOMERY county, \$2 50 per day. (*bb*) In NORTHAMPTON county, \$1 per day, but their pay and mileage not to exceed \$500 per annum, (*cc*) their mileage to be at the rate of 6¼ cents per mile circular, for every mile necessarily traveled in going to and from their homes to the place of business, mileage to and from the county seat not to be chargeable oftener than once a week. (*dd*) In NORTHUMBERLAND county, \$2 50 per day. (*ee*) In PHILADELPHIA city and county, an annual salary of \$5,000. (*ff*) In PIKE county, \$2 per day, (*gg*) In POTTER county, \$3

* Lackawanna county erected from part of Luzerne, in 1878.

† The commissioners in office at the date of the organization of Lackawanna county, received \$1,500 during their term, under § 14, act of 1876, P. L. p. 17.

(*a*) Act of 1863, § 1, P. L. p. 222.

(*b*) Act of 1864, § 1, P. L. p. 210.

(*c*) Act of 1851, § 3, P. L. p. 631.

(*d*) Act of 1865, § 1, P. L. p. 591.

(*e*) Act of 18 5, § 1, P. L. p. 630.

(*f*) Act of 1835, § 1, P. L. p. 131.

(*g*) Act of 870, § 1, P. L. p. 1218.

(*h*) Act of 1867, § 1, P. L. p. 828.

(*i*) Act of 1866, § 1, P. L. p. 411.

(*j*) Act of 1871, § 1, P. L. p. 1123.

(*k*) Act of 1863, § 1, P. L. p. 295.

(*l*) Act of 1865, § 1, P. L. p. 678.

(*m*) Act of 1861, § 1, P. L. p. 206.

(*n*) Act of 1865, § 1, P. L. p. 2 8.

(*o*) Act of 1843, § 7, P. L. p. 417.

(*p*) Act of 1839, § 1, P. L. p. 421.

(*q*) Act of 1873, § 1, P. L. p. 467.

(*r*) Act of 1863, § 1, P. L. p. 295.

(*s*) Act of 1865, § 1, P. L. p. 678.

(*t*) Act of 1865, § 1, P. L. p. 133.

(*u*) Act of 1872, § 1, P. L. p. 411.

(*v*) Act of 1871, § 1, P. L. p. 14.

(*w*) Act of 1869, § 1, P. L. p. 348.

(*x*) Act of 1865, § 1, P. L. p. 466.

(*y*) Act of 1870, § 1, P. L. p. 125.

(*z*) Act of 1869, § 1, P. L. p. 561.

(*aa*) Act of 1864, § 1, P. L. p. 425.

(*bb*) Act of 1863, § 1, P. L. p. 986.

(*cc*) Act of 18 9, § 1, P. L. p. 1110.

(*dd*) Act of 1859, § 1, P. L. p. 137.

(*ee*) Act of 1867, § 1, P. L. p. 932.

(*ff*) Act of 1876, § 12, P. L. p. 16.

(*gg*) Act of 1864, § 1, P. L. p. 635.

per day. *(a)* In SCHUYLKILL county, \$2 50 per day. *(b)* In SNYDER county, \$2 50 per day. *(c)* In SOMERSET county, \$3 per day. *(d)* In SULLIVAN county, \$2 per day. *(e)* In SUSQUEHANNA county, \$2 50 per day. *(f)* In TIOGA county, \$3 per day. *(g)* and 3 cents per mile circular, for each mile necessarily traveled in the discharge of their duties. *(h)* In VENANGO county, \$3 50 per day. *(i)* In WARREN county, \$3 per day, and 8 cents per mile for each mile necessarily traveled in the discharge of their official duties. *(j)* In WASHINGTON county, \$3 per day, but not to charge for more than two hundred days in any one year. *(k)* In WAYNE county, \$3 per day for every day not exceeding one hundred in any one year, and for every day above one hundred, the compensation previously allowed, *(l)* and mileage at the rate of 5 cents per mile for each mile necessarily traveled. *(m)* In WESTMORELAND county, \$2 50 per day. *(n)* In WYOMING county, \$2 50 per day. *(o)* In YORK county, an annual salary of \$400, and 6 cents per mile for every mile traveled in the discharge of their official duties. *(p)*

The counties of Perry and Union are the only ones in the State whose commissioners serve for the compensation fixed in the act of 1831. In all the other counties the matter is regulated by special enactments, as set forth above.

Clerk to the County Commissioners.

GENERAL ACT RELATING TO COMPENSATION.

SECTION 42. The clerk to the county commissioners of each county receives for his services such sum as the commissioners, at their first meeting in each year, agree upon. *(q)*

SPECIAL ACTS RELATIVE TO CERTAIN COUNTIES.

SECTION 43. In Allegheny and Philadelphia counties the county commissioners and county controller fix the salary of the commissioners' clerk, with right of appeal to the judges of the court of common pleas, whose decision in the case is final. *(r)*

In Berks county the commissioners are authorized to fix the annual salary of the clerk. *(s)*

In Northampton county the salary of the commissioners' clerk is fixed at \$800, payable monthly, out of the county treasury. *(t)*

In York county his salary is fixed at \$1,000, payable monthly, by the treasurer out of the county funds. *(u)*

County Auditors.

GENERAL ACTS GOVERNING COMPENSATION.

SECTION 44. The auditors of each county are allowed out of the county funds, \$1 50 apiece for every day's necessary attendance upon the duties of their office. *(v)*

The amount payable for their services and incidental expenses, and costs of attendance of witnesses before them, is paid out of the county treasury upon orders drawn on the county treasurer by the county commissioners. *(w)*

- (a)* Act of 1864, § 1, P. L. p. 429.
- (b)* Act of 1864, § 1, P. L. p. 235.
- (c)* Act of 1867, § 1, P. L. p. 202.
- (d)* Act of 1869, § 2, P. L. p. 1 9.
- (e)* Act of 1855, § 1, P. L. p. 531.
- (f)* Act of 1855, § 1, P. L. p. 233.
- (g)* Act of 1867, § 1, P. L. p. 622.
- (h)* Act of 1840, § 9, P. L. p. 71.
- (i)* Act of 1871, § 1, P. L. p. 12.
- (j)* Act of 1873, § 1, P. L. p. 232.
- (k)* Act of 1866, § 1, P. L. p. 743.
- (l)* Act of 1864, § 1, P. L. p. 643.

- (m)* Act of 1870, § 1, P. L. p. 290.
- (n)* Act of 1864, § 1, P. L. p. 647.
- (o)* Act of 1863, § 1, P. L. p. 244.
- (p)* Act of 1864, § 1, P. L. p. 579.
- (q)* Act of 1834, § 20, P. L. p. 541.
- (r)* Act of 1876, § 7, P. L. p. 15.
- (s)* Act of 1839, § 1, P. L. p. 581.
- (t)* Act of 1838, § 2, P. L. p. 864.
- (u)* Act of 1871, § 2, P. L. p. 831.
- (v)* Act of 1834, § 60, P. L. p. 547.
- (w)* Act of 1869, § 1, P. L. p. 66.

SPECIAL ACTS RELATING TO THE SEVERAL COUNTIES.

SECTION 45. In *Adams* county, they receive \$5 per day for every day necessarily engaged, not exceeding four in any one year, and \$2 per day for every day engaged in excess of four; (*a*) in *Armstrong* county, \$2 50 per day; (*b*) in *Beaver* county, \$3 per day; (*c*) in *Bedford* county, \$5 per day; (*d*) in *Berks* county, an annual salary of \$100; (*e*) in *Bradford* county, \$2 per day; (*f*) in *Butler* county, an annual salary of \$100; (*g*) in *Cambria* county, \$2 per day; (*h*) in *Cameron* county, 50 per centum additional on the compensation allowed by law, (*i*) making \$2 25 per day; in *Carbon* county, \$3 per day for every day not exceeding eight, necessarily engaged in each year, and for all time engaged in excess of eight days the compensation fixed by general law; (*j*) in *Centre* county, \$3 per day; (*k*) in *Clarion* county, \$2 per day; (*l*) in *Clearfield* county, \$5 per day for any number of days engaged, not exceeding twenty in any one year; (*m*) in *Clinton* county, \$2 per day; (*n*) in *Crawford* county, an annual salary of \$150; (*o*) in *Cumberland* county, \$5 per day; (*p*) in *Dauphin* county, an annual salary of \$109; (*q*) in *Elk* county, \$2 50 per day; (*r*) in *Eric* county, \$3 per day, in addition to mileage; (*s*) in *Fayette* county, \$3 per day; (*t*) in *Forest* county, \$3 per day, and ten cents per mile for each mile traveled in performance of official duty; (*u*) in *Greene* county, \$3 per day; (*v*) in *Huntingdon* county, \$3 per day; (*w*) in *Indiana* county, \$2 50 per day for every day employed within their offices, and \$1 per day additional for traveling expenses for each day employed outside of their offices; (*x*) in *Jefferson* county, \$3 per day; (*y*) in *Juniata* county, \$2 per day; (*z*) in *Lackawanna* county, 50 cents per day in addition to compensation fixed by law, (*aa*) making \$2 per day; in *Lancaster* county, \$3 per day, and ten cents per mile for each mile traveled in the performance of official duty; (*bb*) and their services and incidental expenses, and costs of attendance of witnesses before them, are to be paid out of the county treasury on orders drawn upon the treasurer of the county by the judges of the court of common pleas; (*cc*) in *Lawrence* county, \$3 per day; (*dd*) in *Lehigh* county, \$5 per day; (*ee*) in *Luzerne** county, 50 cents per day in addition to compensation fixed by law, (*ff*) making \$2 per day; in *Lycoming* county, \$2 per day; (*gg*) in *McKean* county, \$3 per day; (*hh*) in *Mercer* county, \$3 per day; (*ii*) in *Mifflin* county, \$2 50 per day; (*jj*) in *Monroe* county, \$2 50 per day for all services not exceeding ten days in any one year, and for all above ten days, the compensation fixed by general law; (*kk*) in *Montgomery* county, an annual salary of \$100; (*ll*) in *Northampton* county, \$250 per day; (*mm*) in *Northumberland* county, \$3 per day; (*nn*) in *Pike* county, \$3 per day for every day engaged not exceeding eight in

*The auditors in office at date of the formation of Lackawanna county from part of Luzerne, would receive \$500 annually until the expiration of their term, under section 14, act of 1876, P. L. p. 17.

(*a*) Act of 1872, § 1, P. L. p. 92.

(*b*) Act of 1866, § 1, P. L. p. 5.

(*c*) Act of 1865, § 1, P. L. p. 259.

(*d*) Act of 1873, § 1, 2, P. L. p. 190.

(*e*) Act of 1868, § 1, P. L. p. 244.

(*f*) Act of 1857, § 1, P. L. p. 113.

(*g*) Act of 1868, § 1, P. L. p. 852.

(*h*) Act of 1857, § 1, P. L. p. 164.

(*i*) Act of 1865, § 1, P. L. p. 304.

(*j*) Ibid, p. 292.

(*k*) Ibid, p. 517.

(*l*) Act of 1860, § 1, P. L. p. 149.

(*m*) Act of 1873, § 1, P. L. p. 592.

(*n*) Act of 1864, § 3, P. L. p. 873.

(*o*) Act of 1869, § 1, P. L. p. 412.

(*p*) Act of 1873, § 1, P. L. p. 198.

(*q*) Ibid, § 2, p. 501.

(*r*) Act of 1866, § 1, P. L. p. 556.

(*s*) Act of 1865, § 1, P. L. p. 473, and act of

1867, § 1, P. L. p. 208.

(*t*) Act of 1869, § 1, P. L. p. 117.

(*u*) Act of 1863, § 1, P. L. p. 222.

(*v*) Act of 1865, § 1, P. L. p. 690.

(*w*) Ibid, p. 131.

(*x*) Act of 1870, § 1, P. L. p. 1218.

(*y*) Act of 1867, § 1, P. L. p. 1015.

(*z*) Act of 1866, § 1, P. L. p. 411.

(*aa*) Act of 1845, § 1, P. L. p. 177.

(*bb*) Ibid, p. 134.

(*cc*) Act of 1870, § 2, P. L. p. 560.

(*dd*) Act of 1865, § 1, P. L. p. 218.

(*ee*) Act of 1869, § 3, P. L. p. 424.

(*ff*) Act of 1865, § 1, P. L. p. 177.

(*gg*) Act of 1864, § 3, P. L. p. 873.

(*hh*) Act of 1872, § 1, P. L. p. 404.

(*ii*) Act of 1871, § 1, P. L. p. 14.

(*jj*) Act of 1865, § 1, P. L. p. 466.

(*kk*) Act of 1867, § 1, P. L. p. 484.

(*ll*) Act of 1864, § 1, P. L. p. 426.

(*mm*) Act of 1859, § 4, P. L. p. 137.

(*nn*) Act of 1867, § 1, P. L. p. 471.

any one year, and for all time over eight days, the compensation fixed by general law; (a) in *Potter* county, \$3 per day; (b) in *Somerset* county, \$3 per day; (c) in *Sullivan* county, \$2 per day; (d) in *Tioga* county, \$3 per day; (e) in *Venango* county, \$3 per day; (f) in *Warren* county, \$3 per day; (g) in *Washington* county, \$3 per day; (h) in *Wayne* county, \$3 per day; (i) in *Wyoming* county, \$2 50 per day; (j) in *York* county, an annual salary of \$200. (k)

Blair, Bucks, Chester, Columbia, Delaware, Franklin, Fulton, Lebanon, Montour, Perry, Schuylkill, Snyder, Susquehanna, Union, and Westmoreland, are the only counties whose auditors' are paid the compensation allowed by the general act of 1834, viz: \$1 50 per day.

Allegheny county and Philadelphia have each a controller in lieu of county auditors.

Clerk to County Auditors.

SECTION 46. The salaries of clerks and deputies in the offices of the controller of Allegheny and Philadelphia counties, are fixed by the county commissioners and county controller, with right of appeal to the judges of the court of common pleas, whose decision thereon is final. (l)

In Bedford county, the compensation of the clerk to the county auditors is fixed by the county commissioners and county auditors, and is payable by order drawn by the county commissioner on the county treasurer. (m)

Court Criers and Tipstaves.

GENERAL ACTS RELATIVE TO COMPENSATION.

SECTION 47. The compensation of court criers and tipstaves in the Supreme Court, is fixed by the judges of said court, at a rate *per diem* for the whole year, not exceeding what is paid to similar officers of courts of common pleas; such compensation to be paid by the proper city or county treasurer, on bills approved by the court or by prothonotary thereof, in pursuance of a rule made by the court for that purpose. (n)

In other courts, they are to be paid by the county, such sum for each day's attendance as the judges of such court allow. (o)

SPECIAL ACTS FOR VARIOUS COUNTIES.

SECTION 48. In Allegheny county, they receive an annual salary, not exceeding \$1,000, to be fixed by the judges of the several courts of said county, (each court for their respective criers and tipstaves,) to be paid monthly, on the second Monday of each month. (p)

In Berks county, the court crier is entitled to receive the fee of 12½ cents on every suit brought in the court of common pleas of said county. (q)

In Bucks and Northumberland counties, it is the duty of the sheriff and prothonotary to pay over to the court crier, 12½ cents on every bill of costs, where such charge is received by them, or either of them; the crier is also entitled to 25 cents for making proclamation for the acknowledgment of sheriff's deeds, and 12½ cents on each recognizance forfeited in the court of quarter sessions or oyer and terminer. (r)

In Indiana county, the crier and tipstaves receive twenty-five per centum additional on amounts allowed them by law. (s)

In the city and county of Philadelphia, it is made the duty of the

(a) Act of 1835, § 1, P. L. p. 179.

(b) Act of 1861, § 1, P. L. p. 429.

(c) Act of 1870, § 1, P. L. p. 490.

(d) Act of 1835, § 1, P. L. p. 581.

(e) Ibid, p. 622.

(f) Act of 1871, § 1, P. L. p. 12.

(g) Act of 1836, § 1, P. L. p. 141.

(h) Ibid, p. 713.

(i) Act of 1834, § 1, P. L. p. 648.

(j) Act of 1863, § 1, P. L. p. 241.

(k) Act of 1867, § 1, P. L. p. 370.

(l) Act of 1876, § 7, P. L. p. 15, and act of 1877, § 2, P. L. p. 34.

(m) Act of 1873, § 1, P. L. p. 190.

(n) Act of 1875, § 1, P. L. p. 5.

(o) Act of 1831, § 78, P. L. p. 355.

(p) Act of 1873, § 1 and 2, P. L. p. 461.

(q) Act of 1832, § 1, P. L. p. 481.

(r) Resolution of 1839, P. L. p. 677.

(s) Act of 1871, § 2, P. L. p. 1104.

sheriff and prothonotary to pay over to the court criers the sum of 12½ cents on every bill of costs, where such charge is collected by the said sheriff or prothonotary. (*a*)

In Schuylkill county, the court crier receives, in lieu of other fees, the sum of 25 cents on all suits, amicable actions, appeals from justices, and transcripts of judgments entered of record in the office of the prothonotary. (*b*)

Stenographers in Courts.

SECTION 49. Stenographers receive compensation at the rate of \$10 per day for every day actually spent by them in courts, in taking notes, to be paid by the Commonwealth in the case of the Supreme Court stenographer, and by the county or counties forming a judicial district, in the case of stenographers appointed in said districts, upon the order of the judge presiding; but no stenographer to receive a greater compensation than \$1,200 per annum, in any county having less than two hundred thousand inhabitants.

For furnishing transcripts they are entitled to compensation not exceeding 15 cents for each one hundred words, such compensation to be paid by the county in which the notes are taken, when the transcript is ordered by the court, or when made for the purpose of being filed, and by the counsel in the respective cases, when ordered by them. (*c*)

Jurors.

GENERAL ACTS RELATING TO COMPENSATION.

SECTION 50. The compensation of jurors is \$2 per day, except in counties where such compensation is fixed at a greater sum, (*d*) to be paid, in the case of jurors in courts by the county treasurer, upon warrants of the county commissioners; (*e*) their compensation for attendance on views or for any other service in the county is to be charged in the bill of costs, (*f*) except in cases of partition of real estate where it is to be paid by the parties in interest, (*g*) and for serving on inquests, in cases of lunatics and habitual drunkards, where it is to be paid in accordance with the order and direction of the court out of which the commission issues, (*h*) or in the case of unfounded applications, by the person or persons making such applications. (*i*) Jurors attending court or a view are allowed, in addition to their pay, mileage at the rate of 6¼ cents for each mile traveled, to be paid out of the county treasury, in the usual manner; (*j*) and in cases of partition of real estate, they are entitled to mileage, at the rate of three cents per mile circular, for each mile necessarily traveled by them, counting from the place at which they first met and back to the same place. (*k*)

SPECIAL ACTS FOR THE SEVERAL COUNTIES.

SECTION 51. In Allegheny county, jurors receive \$2 50 per day; (*l*) in Bucks county, jurors serving in courts receive \$2 50 per day, in addition to mileage; (*m*) in Columbia county, jurors in criminal and civil cases receive \$2 per day and mileage; (*n*) in Elk county, grand and traverse jurors receive \$2 50 per day, in addition to mileage; (*o*) in Indiana county, they are only allowed mileage for the number of miles actually traveled over the ordinary public roads or highways, and no

(*a*) Act of 1837, § 4, P. L. p. 373.

(*b*) Act of 1871, § 1, P. L. p. 731.

(*c*) Act of 1876, § 3 and 4, P. L. p. 140 and 141.

(*d*) Act of 1873, § 1, P. L. p. 37.

(*e*) Act of 1834, § 137, P. L. p. 366.

(*f*) Act of 1821, § 12, 7 Sm. 377.

(*g*) Act of 1864, § 1, P. L. p. 641.

(*h*) Act of 1849, § 2, P. L. p. 663.

(*i*) Act of 1836, § 9, P. L. p. 595.

(*j*) Acts of 1834, § 1 and 133, P. L. p. 366 and 378.

(*k*) Act of 1856, § 2, P. L. p. 386.

(*l*) Act of 1866, § 1, P. L. p. 521.

(*m*) Act of 1873, P. L. p. 152.

(*n*) Act of 1873, § 1, P. L. 209.

(*o*) Act of 1869, § 1, P. L. p. 229.

one traveling by railroad is to be allowed mileage for more than twenty-five miles; (*a*) in Northumberland county, jurors in criminal and civil cases receive \$2 and mileage; (*b*) in the city and county of Philadelphia, jurors receive, for attendance in courts, \$2 50 per day, and usual mileage. (*c*)

Mercantile Appraisers.

GENERAL ACTS RELATING TO FEES.

SECTION 52. Mercantile appraisers in every county of the Commonwealth, except Philadelphia, receive 50 cents for each certificate of license issued, and mileage at the rate of six cents per mile circular for each mile necessarily traveled in the discharge of their duties; (*d*) the fee of 50 cents for each certificate of license issued is to be collected by the county treasurer, (*e*) and the mileage to be paid by the State Treasurer, on the warrant of the Auditor General. (*f*)

SPECIAL ACTS FOR THE SEVERAL COUNTIES.

SECTION 53. In the city and county of Philadelphia mercantile appraisers receive for the classification of each person a fee of 62½ cents, (*g*) and for making a certified list of liquor dealers, with statement of amount of annual sales and other services in connection therewith, they are entitled to receive from each liquor dealer the sum of \$1. (*h*)

Arbitrators and Referees.

SECTION 54. The compensation of arbitrators chosen under the compulsory arbitration laws of this Commonwealth shall be \$2 for each day necessarily employed in the duties of their appointment, and five cents for each mile necessarily traveled in going to and returning from the place of meeting, which shall be entered and taxed in the bill of costs in the case, and collected as the other costs of the case are collected: *Provided*, That in all cases where no defense is made before said arbitrators, and in all cases in which said arbitrators shall be engaged less than five hours in hearing, their fees shall be \$1 per day. (*i*)

Referees in civil actions pending in courts are entitled to \$10 per day for the time engaged as referees, to be taxed and paid as part of the costs in each case, and the referee in each case must make out his bill, with affidavit attached, and submit the same to the court, and the court, after examination, is to direct the taxation of so much costs as the referee is entitled to have. (*j*)

Referees, in actions before a justice of the peace, are each entitled to 50 cents per day for their services, to be taxed with the costs. (*k*)

Witnesses.

GENERAL ACTS RELATING TO FEES.

SECTION 55. The fees to be received by witnesses are as follows, to wit:

Each day's attendance at court, when the witness does not reside in nor within one mile of county seat, 62½ cents.

Eash day's attendance at court, when the witness resides in or within one mile of the county town, 50 cents.

Each day's attendance before a justice of the peace, 25 cents.

Mileage, each mile circular in traveling to and from, 3 cents. (*l*)

Witnesses attending before county auditors receive out of the county stock the same allowance as is received by witnesses attending before the courts. (*m*)

(*a*) Act of 1872, P. L. p. 77.

(*b*) Act of 1873, § 1, P. L. p. 209.

(*c*) Act of 1873, § 1, P. L. p. 262.

(*d*) Act of 1865, § 1, P. L. p. 4; act of 1867, § 1, P. L. p. 482.

(*e*) Act of 1845, § 8, P. L. p. 534.

(*f*) Act of 1850, § 1, P. L. p. 472.

(*g*) Act of 1866, § 2, P. L. p. 104.

(*h*) Act of 1873, § 2, P. L. p. 566.

(*i*) Act of 1877, § 1, P. L. p. 14; act of 1836, § 49, P. L. p. 727.

(*j*) Act of 1874, § 2, P. L. p. 167.

(*k*) Act of 1810, § 3, 5 Sm., p. 162.

(*l*) Act of 1821, § 13, P. L. p. 63.

(*m*) Act of 1834, § 53, P. L. p. 546.

Witnesses before arbitrators receive the same fees as are allowed by law for similar services. (*a*)

Witnesses on a commission to inquire into the lunacy and habitual drunkenness of any person are allowed the same fees and mileage as if attending as witnesses in the court of common pleas. (*b*)

SPECIAL ACTS RELATING TO THE SEVERAL COUNTIES.

SECTION 56. In Adams county, witnesses in courts receive \$1 per day and mileage, except those who reside within one mile of the county seat, who receive the compensation fixed by general law; (*c*) in Allegheny county, witnesses in courts receive \$1 per day and mileage; (*d*) in Armstrong county, witnesses in courts receive \$1 50 per day, except those who reside in or within one mile of the county seat, who receive 75 cents per day; (*e*) in Beaver county, witnesses in courts receive \$1 per day; (*f*) in Bedford county, witnesses in courts receive \$1 per day, except those who reside in or within one mile of the county seat, who receive 87½ cents per day; (*g*) in Berks county, witnesses in courts receive \$1 25 per day; (*h*) in Blair county, witnesses in courts receive \$1 per day and mileage; (*i*) in Bradford county, witnesses receive \$1 per day; (*j*) in Bucks county, witnesses receive \$1 per day and mileage; (*k*) in Butler county, witnesses in courts receive \$1 per day; (*l*) in Cambria county, witnesses in courts receive \$1 per day and mileage; (*m*) in Cameron county, witnesses in courts receive \$1 per day, except when they reside within one mile of the court-house, in which case they receive but 75 cents per day; (*n*) in Carbon county, witnesses in courts receive \$1 per day; (*o*) in Centre county, witnesses in courts receive \$1 50 per day and mileage; (*p*) in Chester county, witnesses in courts receive \$1 per day, except those who reside in the borough of West Chester, who receive the compensation fixed by general law; (*q*) in Clarion county, witnesses in courts receive \$1 per day; (*r*) in Clearfield county, witnesses in courts receive \$1 per day; (*s*) in Clinton county, witnesses in courts receive \$1 50 per day and mileage; (*t*) in Columbia county, witnesses in civil and criminal cases receive \$1 50 per day and mileage; (*u*) in Carwford county, witnesses in courts receive \$1 25 per day and mileage, (*v*) and their mileage is to be computed by the nearest railroad route; (*w*) in Cumberland county, witnesses in courts receive \$1 per day, in addition to mileage, except those who reside in or within one mile of Carlisle, who receive but 75 cents per day; (*x*) in Dauphin county, witnesses in courts receive \$1 per day and mileage; (*y*) in Delaware county, witnesses in courts receive \$1 per day; (*z*) in Elk county, witnesses in courts receive \$1 per day; (*aa*) in Erie county, witnesses in courts receive \$1 per day; (*bb*) in Fayette county, witnesses in courts receive \$1 per day; (*cc*) in Franklin county, witnesses in courts receive 75 cents per day, except those who reside in or within one mile of Chambersburg, who are only entitled to 50 cents per day; (*dd*) in Fulton county, witnesses in courts receive \$1 per day, except those who reside in or within one mile of the county seat, who receive but 80 cents per day; (*ee*) in Greene county, witnesses receive \$1 per day and mileage; (*ff*) in Huntingdon county, witnesses receive \$1 per day and 4 cents

(*a*) Act of 1836, § 52, P. L. p. 723.

(*b*) Act of 1849, § 2, P. L. p. 663.

(*c*) Act of 1865, § 3, P. L. p. 133.

(*d*) Act of 1861, § 1, P. L. p. 576.

(*e*) Act of 1865, § 1, P. L. p. 344.

(*f*) Act of 1865, § 3, P. L. p. 239.

(*g*) Act of 1864, § 1, P. L. p. 428.

(*h*) Act of 1870, § 1, P. L. p. 174.

(*i*) Act of 1870, § 1, P. L. p. 535.

(*j*) Act of 1866, § 1, P. L. p. 31.

(*k*) Act of 1865, § 2, P. L. p. 107.

(*l*) Act of 1865, § 1, P. L. p. 81.

(*m*) Act of 1864, § 1, P. L. p. 576.

(*n*) Act of 1865, § 1, P. p. 304.

(*o*) Act of 1858, § 1, P. L. p. 91.

(*p*) Act of 1873, § 1, P. L. p. 756.

(*q*) Act of 1856, § 1, P. L. p. 435.

(*r*) Act of 1873, § 3, P. L. p. 452.

(*s*) Act of 1857, § 1, P. L. p. 116.

(*t*) Act of 1873, § 1, P. L. p. 756.

(*u*) Act of 1873, § 1, P. L. p. 209.

(*v*) Act of 1866, § 1, P. L. p. 3.

(*w*) Act of 1869, § 1, P. L. p. 1092.

(*x*) Act of 1870, § 2, P. L. p. 306.

(*y*) Act of 1864, § 1, P. L. p. 575.

(*z*) Act of 1857, § 1, P. L. p. 116.

(*aa*) Ibid.

(*bb*) Act of 1858, § 1, P. L. p. 91.

(*cc*) Ibid.

(*dd*) Act of 1867, § 1, P. L. p. 136.

(*ee*) Act of 1865, § P. L. p. 592.

(*ff*) Act of 1864, § 1, P. L. p. 862.

per mile, circular, for each mile traveled; (*a*) in Indiana county, witnesses in courts receive \$1 per day and mileage, (*b*), such mileage to be allowed only for the number of miles actually traveled, and no one traveling by railroad can claim from the county mileage for more than twenty-five miles; (*c*) in Jefferson county, witnesses in courts receive \$1 per day, and 5 cents per mile circular, for each mile traveled, and before a justice of the peace, 75 cents per day, and the same mileage as witnesses in courts; (*d*) in Juniata county, witnesses in courts receive \$1 per day and mileage; (*e*) in Lackawanna county, witnesses in courts receive \$1 per day; (*f*) in Lancaster county, witnesses in courts receive \$1 per day and mileage; (*g*) in Lawrence county, witnesses in courts receive 75 cents per day and mileage; (*h*) in Lebanon county, witnesses in courts receive \$1 per day and mileage; (*i*) in Lehigh county, witnesses in courts receive \$1 per day; (*j*) in Luzerne county, witnesses in courts receive \$1 per day; (*k*) in Lycoming county, witnesses in courts receive \$1 per day and mileage, except those who reside within one mile of the county seat, who receive the compensation fixed by general law; (*l*) in Mercer county, witnesses in courts receive \$1 per day, and before a justice of the peace, 50 cents per day; (*m*) in Mifflin county, witnesses in courts receive \$1 per day and mileage; (*n*) in Monroe county, witnesses in courts and before arbitrators and auditors receive \$1 per day; (*o*) in Montgomery county, witnesses in courts receive \$1 per day and mileage; (*p*) in Montour county, witnesses residing more than one mile from the county seat receive \$1 per day; (*q*) in Northampton county, witnesses in courts receive \$1 25 cents per day, and before a justice of the peace, 75 cents per day, with mileage in all cases; (*r*) in Northumberland county, witnesses in civil and criminal cases receive \$1 50 per day and mileage; (*s*) in Perry county, witnesses in courts receive \$1 per day and mileage; (*t*) in the city and county of Philadelphia, witnesses in courts receive \$1 50 per day and mileage; (*u*) in Pike county, witnesses in courts and before arbitrators and auditors receive \$1 per day; (*v*) in Potter county, witnesses in courts receive \$1 per day and mileage; (*w*) in Schuylkill county, witnesses in courts receive \$1 50 per day, except those who reside in or within one mile of the county seat, who receive but 75 cents per day; (*x*) in Snyder county, witnesses in courts receive \$1 per day and mileage; (*y*) in Somerset county, witnesses receive \$1 per day; (*z*) in Sullivan county, witnesses receive \$1 per day; (*aa*) in Tioga county, witnesses in courts receive \$1 per day and mileage; (*bb*) in Union county, witnesses in courts receive \$1 per day, and 3 cents circular mileage, except those who reside in or within one mile of the county seat, or place of trial, who receive but 75 cents per day; (*cc*) in Venango county, witnesses receive \$1 per day; (*dd*) in Washington county, witnesses receive \$1 per day and mileage; (*ee*) in Wayne county, witnesses in courts and before arbitrators and auditors receive \$1 per day; (*ff*) in Westmoreland county, witnesses in courts receive \$1 50 per day, except those who reside in or within one mile of the county seat, who receive but 75 cents per day; (*gg*) in York county, witnesses receive \$1 per day and mileage. (*hh*)

- (*a*) Act of 1864, § 1, P. L. p. 503.
 (*b*) Act of 1868, § 2, P. L. p. 650.
 (*c*) Act of 1872, § 1, P. L. p. 77.
 (*d*) Act of 1870, § 1, P. L. p. 714.
 (*e*) Act of 1864, § 1, P. L. p. 814.
 (*f*) Act of 1857, § 1, P. L. p. 116.
 (*g*) Act of 1864, § 1, P. L. p. 832.
 (*h*) Act of 1857, § 1, P. L. p. 432.
 (*i*) Act of 1863, § 2, P. L. p. 650.
 (*j*) Act of 1858, § 1, P. L. p. 91.
 (*k*) Act of 1857, § 1, P. L. p. 116.
 (*l*) Act of 1865, § 3, P. L. p. 133.
 (*m*) Act of 1871, § 1, P. L. p. 14.
 (*n*) Act of 1864, § 1, P. L. p. 891.
 (*o*) Act of 1866, § 1, P. L. p. 408.
 (*p*) Act of 1864, § 3, P. L. p. 426.
 (*q*) Act of 1866, § 1, P. L. p. 34.

- (*r*) Act of 1865, § 1, P. L. p. 202.
 (*s*) Act of 1873, § 1, P. L. p. 209.
 (*t*) Act of 1864, § 1, P. L. p. 814.
 (*u*) Act of 1873, § 1, P. L. p. 262.
 (*v*) Act of 1866, § 1, P. L. p. 403.
 (*w*) Act of 1865, § 3, P. L. p. 610.
 (*x*) Act of 1866, § 1, P. L. p. 344.
 (*y*) Act of 1865, § 1, P. L. p. 156.
 (*z*) Act of 1866, § 1, P. L. p. 34.
 (*aa*) *Ibid.*
 (*bb*) Act of 1865, § 3, P. L. p. 610.
 (*cc*) Act of 1869, § 1, P. L. p. 212.
 (*dd*) Act of 1871, § 1, P. L. p. 12.
 (*ee*) Act of 1864, § 1, P. L. p. 862.
 (*ff*) Act of 1866, § 1, P. L. p. 408.
 (*gg*) Act of 1866, § 1, P. L. p. 344.
 (*hh*) Act of 1864, § 1, P. L. p. 579.

Appraisers.

SECTION 57. Appraisers of the estates of a decedent and of assigned estates, are each entitled to receive from the executor or administrator a sum not exceeding \$1 for their services in appraising such estate, and if not completed in one day, \$1 for every day diligently employed therein. (a)

Appraisers of decedent's estates for collateral inheritance tax, receive for services performed by them in the city of Philadelphia, and in the other cities and several seats of justice within the Commonwealth, at the rate of \$1 per day, and in the several counties within this Commonwealth at the rate of \$1 50 per day. (b)

Appraisers of property exempt from execution or distress, each receive 50 cents, to be charged as part of the costs of the proceedings, (c) except in the counties of Philadelphia and Allegheny, where their compensation is \$1. (d)

Road and Bridge Viewers and Re-viewers, Commissioners of Roads, Commissioners to run Township Lines, and to divide Boroughs into Wards, and township Division Lines.

SECTION 58. The compensation of viewers and re-viewers of roads and bridges, commissioners of roads, and of commissioners appointed to run township lines and to divide boroughs into wards and township division lines, is \$2 per day, and mileage at the rate of 10 cents per mile for each mile necessarily traveled from their places of residence to the nearest point of road viewed or re-viewed, or the line or lines to be run, to be paid in the case of viewers and re-viewers of private roads by the person applying for the same, and in case of public roads and bridges, and commissioners to divide boroughs into wards, or to alter or establish boundaries of wards, to be paid from the county treasury, except in the counties of Berks, Bucks, Lycoming, Monroe, Montgomery, and Pike, where all expenses are to be paid by the petitioners, and in the counties of Blair and Washington, where expenses are to be paid by the petitioners unless the roads are laid out and confirmed. (e)

Commissioners appointed to divide Townships into Election Districts, or to consolidate Election Districts.

SECTION 59. Commissioners appointed to divide a township into election districts, or to consolidate townships or election districts, are to receive the same compensation as that paid to road viewers, and to be paid in the same manner. (f)

Chain Carriers.

SECTION 60. The compensation of chain carriers employed at the survey of road views, and in the division of townships and running township lines, is \$1 50 per day, to be paid in the same manner as road viewers and surveyors of roads are paid. (g)

Magistrates, Philadelphia.

SECTION 61. Magistrates receive from the city of Philadelphia a salary of \$3,000 each, payable quarterly on the first Mondays of July, October, January, and April in each year. (h)

(a) Act of 1834, § 10, P. L. p. 74; act of 1836, § 4, P. L. p. 631.

(b) Act of 1849, § 12, P. L. p. 571.

(c) Ibid, § 2, p. 533.

(d) Act of 1866, § 1, P. L. p. 95; act of 1872, § 1, P. L. p. 562.

(e) Act of 1874, § 1 and 2, P. L. p. 138; act of 1874, § 5, P. L. p. 160; act of 1836, § 54 and 59, P. L. p. 563; act of 1833,

§ 2, P. L. p. 120; act of 1857, § 5, P. L. p. 298; act of 1868, § 2, P. L. 464; 1845, § 1, P. L. p. 328; act of 1859, § 5, P. L. p. 139; act of 1863, P. L. p. 337; act of 1857, § 2, P. L. p. 607; act of 1857, § 2, P. L. p. 3.

(f) Act of 1876, § 6, P. L. p. 179.

(g) Act of 1876, § 1, P. L. p. 136.

(h) Act of 1875, § 8, P. L. p. 58.

NOTE.—These officers take the place of the aldermen heretofore elected in Philadelphia. They exercise about the same jurisdiction, and are *ex officio* justices of the peace. They are “liable to the same limitations and restrictions, pains, and penalties now imposed upon aldermen.” There is no separate fee bill enacted for them, and we are of the opinion that they must charge the same fees as were charged by aldermen in Philadelphia at the time the office of magistrate was created. For fees of aldermen in Philadelphia, see section 63, this chapter.

Aldermen and Justices of the Peace.

SECTION 62. The fees of aldermen and justices of the peace, except in the counties of Allegheny, Berks, Delaware, Philadelphia, Venango, and Washington, are as follows:

Information or complaint on behalf of the Commonwealth, for every ten words, 2 cents.

Docket entry on behalf of the Commonwealth, 20 cents.

Warrant on mittimus on behalf of the Commonwealth, 40 cents.

Writing an examination on complaint of defendant, or a deposition, for every ten words, 2 cents.

Administering oath or affirmation, 10 cents.

Taking recognizance in any criminal case, and returning the same to court, 50 cents.

Entering judgment on conviction for fine, 20 cents.

Recording conviction or copy thereof, for every ten words, 2 cents.

Warrant to levy fine or forfeiture, 40 cents.

Bail piece and return, or supersedeas, 25 cents.

Discharge to jailor, 25 cents.

Entering discontinuance in case of assault and battery, 40 cents.

Entering complaint of master, mistress, or apprentice, 20 cents.

Notice to master, mistress, or apprentice, 25 cents.

Hearing parties, and discharging complaint, 40 cents.

Holding inquisition under landlord and tenant act, or in case of forcible entry, each day, \$2.

Precept to sheriff, 50 cents.

Recording proceedings, \$1.

Writ of restitution, 50 cents.

Warrant to appraise damages, 40 cents.

Warrant to sell strays, 50 cents.

Warrant to appraise swine, entering return, advertising, et cetera, \$1 50.

Entering action in civil case, 20 cents.

Summons, *capias* or *subpœna*, each, 20 cents.

Every additional name, after the first, 5 cents.

Subpœna duce tecum, 25 cents.

Entering return of summons, and qualifying constables, 15 cents.

Entering *capias* and bail bond, 10 cents.

Every continuance of a suit, 10 cents.

Trial and judgment, 50 cents.

Entering judgment by confession, or by default, 25 cents.

Taking special bail, 25 cents.

Entering satisfaction, 10 cents.

Entering amicable suit, 20 cents.

Entry rule to take depositions of witnesses, 10 cents.

Rule to take depositions of witnesses, 10 cents.

Interrogatories, for every ten words, 2 cents.

Entering return of rule, 10 cents.

Entering rule to refer, 10 cents.

Rule of reference, 15 cents.

Notice to each referee, 10 cents.

Notice to a party in any case, 15 cents.

Entering a report of a referee, and judgment thereon, 15 cents.

Execution, 25 cents.

Entering return of execution, or stay of plaintiff, *nulla bona, non est inventus*, or otherwise, 15 cents.

Entering discontinuance or satisfaction, 10 cents.

Sci. fa., in any case, 30 cents.

Opening judgment for re-hearing, 20 cents.

Return of proceedings in *certiorari* or appeal, including recognizance, 50 cents.

Transcript of judgment, including certificates, 40 cents.

Receiving amount of judgment before execution, or where execution was issued and special bail been entered within twenty days after judgment, and paying the same over, if not exceeding ten dollars, 20 cents.

If above ten dollars, and not exceeding forty dollars, 50 cents.

If above forty dollars, and not exceeding sixty dollars, 75 cents.

If above sixty dollars, \$1.

Entering complaint in writing in case of attachment, and qualifying complainant, 30 cents.

Attachment, 30 cents.

Entering return, and appointing freeholders, 15 cents.

Advertisements, each 15 cents.

Order to sell goods, 25 cents.

Order for the relief of a pauper, each justice, 50 cents.

Order for the removal of a pauper, \$1.

Order to seize goods for maintenance of wife or children, 30 cents.

Order for premium for wolf or fox scalps, to be paid by the county, 15 cents.

Every acknowledgment or probate of a deed, or other instrument of writing, 25 cents.

Taking and signing acknowledgment on indenture of an apprentice, for each indenture, 25 cents.

Canceling indenture, 25 cents.

Comparing and signing tax duplicate, 50 cents.

Marrying each couple, making record thereof, and certificate to parties, \$3.

Certificate of approbation of two justices, to binding an apprentice by directors or overseers of the poor, 50 cents.

Certificate to obtain land warrant, 50 cents.

In proceeding under act of one thousand eight hundred and forty-two, and one thousand eight hundred and forty-five, attachment, 40 cents.

Entering returns, 25 cents.

Affidavit, 10 cents.

Bond, 25 cents.

Entering rule, et cetera, on garnishee, each, 10 cents.

Interrogatories, every ten words, 2 cents.

Notice to garnishee, 10 cents.

Same fee for services not herein specially provided for as for similar services. (a)

Aldermen and justices of the peace are allowed a fee of 50 cents for a commitment to the house of refuge. (b)

They are also allowed fees for services under the laws of the United States, as follows:

For certificate of protection, 50 cents.

For certificate of lost protection, 25 cents.

For a warrant, 25 cents.

For commitment, 25 cents.

Summons for seamen, in admiralty case, 25 cents.

Hearing thereon, with docket entry, 50 cents.

Certificate to clerk of district court to issue admiralty process, (c) 25 cents.

(a) Act of 1863, § 9, P. L. p. 11; act of 1869, § 3, P. L. p. 479; act of 1873, § 1, P. L. p. 611. (b) Act of 1855, § 1, P. L. p. 233. (c) Act of 1837, § 2, P. L. p. 231

They are also allowed for each arrest, hearing, or commitment made under act of May 8, 1876, to define and suppress vagrancy, and the supplement thereto, the sum of 50 cents. (a)

SECTION 63. Their fees in the counties of Allegheny, Berks, Delaware, and Philadelphia, are as follows:

For information or complaint on behalf of the Commonwealth, 30 cents.

Docket entry of action on behalf of the Commonwealth, 25 cents.

Warrant, *mittimus* or *capias*, on behalf of the Commonwealth, 50 cents.

Writing an examination or confession of defendant, 50 cents.

Hearing in criminal cases, 50 cents.

Administering oath or affidavit in criminal or civil cases, 10 cents.

Taking recognizance in criminal case, 30 cents.

Transcript in criminal case, including certificate, 50 cents.

Entering judgment on conviction for fine, 50 cents.

Recording conviction, 25 cents.

Warrant to levy fine or forfeiture, 30 cents.

Bail piece and return *supersedeas*, 30 cents.

Discharge to jailor, 35 cents.

Entering discontinuance in case of an assault and battery, 50 cents.

Entering complaint of master, mistress, or apprentice, 30 cents.

Notice to master, mistress, or apprentice, 25 cents.

Hearing parties, 50 cents.

Holding inquisition under landlord and tenant act, or in case of forcible entry, each day, each justice, \$2.

Process, *et cetera*, to sheriff, each justice, 75 cents.

Recording proceedings, each justice, \$1 50.

Writ of restitution, each justice, 75 cents.

Warrant to appraise damages, 30 cents.

Warrant to sell strays, 30 cents.

Warrant to appraise swine, 35 cents.

Receiving and entering return of appraisement of swine, 25 cents.

Publishing proceedings of appraisers of swine, 75 cents.

Entering action in civil case, 25 cents.

Summons or *subpœna*, 25 cents.

Capias in civil case, 50 cents.

Every additional name after the first, all witnesses names to be in one *subpœna*, unless separate *subpœnas* be requested by the parties, 10 cents.

Subpœna duces tecum, 25 cents.

Entering return of summons, 25 cents.

Entering *capias* and bail bond, 25 cents.

Every continuance of a suit, 20 cents.

Trial and judgment in case, 50 cents.

Taking bail or plea of freehold, 25 cents.

Entering satisfaction, 15 cents.

Entering discontinuance of suit, 15 cents.

Entering amicable suit, 50 cents.

Entering rule to take deposition of witnesses, 15 cents.

Rule to take depositions, 25 cents.

Interrogatories annexed to rule to take depositions, 25 cents.

Entering return of rule in any case, 15 cents.

Entering rule to refer, 15 cents.

Rule of reference, 25 cents.

Notice to each referee, 25 cents.

Entering report of referees and judgment thereon, 30 cents.

Written notice in any case, 25 cents.

Execution, 30 cents.

Entering return of execution, 15 cents.

Scire facias in any case, 35 cents.

Opening judgment for a re-hearing, 25 cents.

- Transcript of judgment and certificate, 50 cents.
- Return of proceedings on *certiorari* or appeal, including recognizances, \$1.
- Receiving the amount of a judgment and paying the same over, if not exceeding ten dollars, 25 cents.
- If exceeding ten, and not exceeding thirty dollars, 35 cents.
- If exceeding thirty dollars, 65 cents.
- Every search service to which no fees are attached, 20 cents.
- Affidavit in case of attachment, 30 cents.
- Entering action in case of attachment, 25 cents.
- Attachment in any case, 35 cents.
- Recognizance, 50 cents.
- Interrogatories, 35 cents.
- Rule on garnishee, 25 cents.
- Return of rule on garnishee, 25 cents.
- Bond in case of attachment, 50 cents.
- Entering return, and appointing freeholders, 25 cents.
- Advertisement, each, 25 cents.
- Order to sell goods, 35 cents.
- Order for the relief of a pauper, 30 cents.
- Entering transcript of judgment from another justice or alderman, 50 cents.
- Order for the removal of a pauper, each justice or alderman, \$1.
- Order to seize goods for the maintenance of wife and children, 50 cents.
- Order for premium for wolf, fox, or other scalps, to be paid by the county, 25 cents.
- Every acknowledgement or probate of deed, or other instrument of writing, for first name, 50 cents.
- Each additional name after the first, 25 cents.
- Taking and signing acknowledgment of indenture of an apprentice, 50 cents.
- Assignment and making record of indenture, 50 cents.
- Canceling indenture, 50 cents.
- Comparing and signing tax duplicates, each alderman, 75 cents.
- Marrying each couple, making record thereof, and certificates to the parties, \$5.
- Certificate of approbation of two justices to the binding, as apprentice, of a person by the directors of the poor, each justice, 35 cents.
- Certificate to obtain land warrant, 75 cents.
- Swearing or affirming county commissioner, assessor, director of the poor, or other township officer or county officer, and certificate, 50 cents.
- Administering oaths or affirmations in any case not herein provided for, 25 cents.
- Justifying parties on bonds for tavern licenses, \$1.
- Entering complaint in landlord and tenant proceedings, act 1830, 25 cents.
- Issuing process in landlord and tenant proceedings, act 1830, 25 cents.
- Hearing and determining case in landlord and tenant proceedings, act 1830, 50 cents.
- Record of proceedings in landlord and tenant proceedings, act 1830, 50 cents.
- Writ of possession (and return) in landlord and tenant proceedings, act of 1830, 50 cents.
- When more than one magistrate is required in landlord and tenant proceedings, the above fees shall be charged by each magistrate.
- Entering complaint in landlord and tenant proceedings, act 1863, 75 cents.
- Issuing process in landlord and tenant proceedings, act 1863, 75 cents.
- Hearing and determining case, act 1863, \$1.
- Record of proceedings, act 1863, \$1 50.
- Issuing writ of restitution, (and return,) act of 1863, \$1,

And their fees for services under the laws of the United States, are the same as in other counties. (a)

SECTION 64. In Venango county, their fees are as follows:

Information or complaint, on behalf of the Commonwealth, for every ten words, 5 cents.

Docket entry in criminal or civil cases, 30 cents.

Warrant or *mittimus* on behalf of the Commonwealth, 60 cents.

Administering an oath or affirmation, 15 cents.

Taking affidavit in any case, 25 cents.

Taking recognizance, 50 cents.

Returning recognizances to court, 50 cents.

Bail piece, and return, 50 cents.

Supersedeas, 30 cents.

Discharge to jailor, 50 cents.

Entering discontinuance in criminal cases, 60 cents.

Selecting jury of six and issuing *venire*, \$1.

Jury trial before magistrate, civil or criminal, \$2.

Hearing in criminal cases, 75 cents.

Capias, 50 cents.

Summons, 40 cents.

Subpoena, 30 cents.

Every additional name after the first on *capias*, summons, or subpoena, 10 cents.

Entering return of summons or *capias* and oath of constable, 20 cents.

Taking bail for stay of execution, 30 cents.

Every continuance of suit, 20 cents.

Discontinuance, 30 cents.

Trial and judgment, 75 cents.

Judgment by confession or default, 40 cents.

Entering satisfaction, 20 cents.

Entering rule to refer, 20 cents.

Rule of reference, 25 cents.

Notice to each referee, or to a party in any case, 25 cents.

Taking bail or appeal, 30 cents.

Transcript and certificate in any civil or criminal case, 75 cents.

Execution and return, 50 cents.

Sci. fa. in any case, 50 cents.

Opening judgment for re-hearing, 30 cents.

Receiving amount of judgment before execution, or where execution was issued, or where execution was suspended, or bail entered, if not exceeding ten dollars, 30 cents.

If above ten dollars and not exceeding forty dollars, 50 cents.

If above forty dollars, and not exceeding seventy dollars, 75 cents.

If above seventy dollars, and not exceeding one hundred dollars, \$1.

If above one hundred dollars, \$1 50.

Affidavit in case of attachment, 50 cents.

Attachment against fraudulent debtor, 50 cents.

Bond in case of attachment, 75 cents.

Attachment in execution, 50 cents.

Interrogatories in attachment in execution, 40 cents.

Rule on garnishee, 30 cents.

Notice to garnishee, 20 cents.

Every acknowledgment or probate of deed or other instrument of writing, 50 cents.

Every additional name after the first, 25 cents.

Fees for writs and services not specified to be the same as in all the other counties of the Commonwealth, except Allegheny, Berks, Delaware, Philadelphia, and Washington. (b)

(a) Act of 1865, § 1 and 2, P. L. p. 92; act of 1865, § 1, P. L. p. 467; act of 1868, § 1, P. L. p. 541; act of 1869, § 1, P. L. p. 460.

(b) Act of 1873, § 2 and 4, P. L. p. 423.

SECTION 65. In Washington county the fees are as follows :

Information or complaint on behalf of the Commonwealth, for every ten words, 2 cents.

Docket entry on behalf of the Commonwealth, 20 cents.

Warrant or mittimus on behalf of the Commonwealth, 40 cents.

Writing an examination on complaint of defendant, or a deposition, for every ten words, 2 cents.

Administering oath or affirmation, 10 cents.

Taking recognizance in any criminal case, and returning the same to court, 50 cents.

Entering judgment on conviction for fine, 20 cents.

Recording conviction or copy thereof, for every ten words, 2 cents.

Warrant to levy fine or forfeiture, 40 cents.

Bail piece and return, or supersedeas, 25 cents.

Discharge to jailor, 25 cents.

Entering discontinuance in case of assault and battery, 40 cents.

Entering complaint of master, mistress, or apprentice, 20 cents.

Notice to master, mistress, or apprentice, 25 cents.

Hearing parties, and discharging complaint, 40 cents.

Holding inquisition under landlord and tenant act, or in case of forcible entry, each day, \$2.

Precept to sheriff, 50 cents.

Recording proceedings, \$1.

Writ of restitution, 50 cents.

Warrant to appraise damages, 40 cents.

Warrant to sell strays, 50 cents.

Warrant to appraise swine, entering return, advertising, et cetera, \$1 50.

Entering action in civil case, 20 cents.

Summons, capias, or subpoena, each, 20 cents.

Every additional name, after the first, 5 cents.

Subpoena *duce tecum*, 25 cents.

Entering return of summons, and qualifying constables, 15 cents.

Entering capias and bail bond 10 cents.

Every continuance of a suit, 10 cents.

Trial and judgment, 50 cents.

Entering judgment by confession or by default, 25 cents.

Taking special bail, 25 cents.

Entering satisfaction, 10 cents.

Entering amicable suit, 20 cents.

Entry rule to take depositions of witnesses, 10 cents.

Rule to take depositions of witnesses, 10 cents.

Judgment, for every ten words, 2 cents.

Entering return of rule, 10 cents.

Entering rule to refer, 10 cents.

Rule of reference, 15 cents.

Notice to each referee, 10 cents.

Notice to a party in any case, 15 cents.

Entering a report of a referee, and judgment thereon, 15 cents.

Execution, 25 cents.

Entering return of execution or stay of plaintiff, *nulla bona, non est inventus*, or otherwise, 15 cents.

Entering discontinuance or satisfaction, 10 cents.

Sci. fa., in any case, 30 cents.

Opening judgment for a re-hearing, 20 cents.

Return of proceedings in *certiorari* or appeal, including recognizance, 50 cents.

Transcript of judgment, including certificates, 40 cents.

Receiving amount of judgment before execution, or where execution was issued, and special bail been entered within twenty days after judgment, and paying the same over, if not exceeding ten dollars, 20 cents.

If above ten dollars, and not exceeding forty dollars, 50 cents.

If above forty dollars, and not exceeding sixty dollars, 75 cents.

If above sixty dollars, \$1.

Every search, when no other service is rendered to which any fee or fees are attached, 15 cents.

Entering complaint in writing in case of attachment, and qualifying complainant, 30 cents.

Attachment, 30 cents.

Entering return, and appointing freeholders, 15 cents.

Advertisements, each 15 cents.

Order to sell goods, 25 cents.

Order for the relief of a pauper, each justice, 40 cents.

Order for the removal of a pauper, \$1.

Order to seize goods for maintenance of wife or children, 30 cents.

Order for premium for wolf or fox scalps, to be paid by the county, 15 cents.

Every acknowledgment or probate of a deed, or other instrument of writing, 25 cents.

Taking and signing acknowledgment on indenture of an apprentice, for each indenture, 25 cents.

Canceling indenture, 25 cents.

Comparing and signing tax duplicate, 50 cents.

Marrying each couple, making record thereof, and certificate to parties, \$3.

Certificate of approbation of two justices, to binding an apprentice by directors or overseers of the poor, 50 cents.

Certificate to obtain land warrant, 50 cents.

Swearing or affirming county commissioners, assessors, et cetera, 25 cents. (a)

SECTION 66. The fees of aldermen in the city of Harrisburg, are as follows:

Information or complaint on behalf of the Commonwealth, for every ten words, 1 cent.

Docket entry on behalf of the Commonwealth, 12½ cents.

Warrant or mittimus on behalf of the Commonwealth, 25 cents.

Writing an examination on complaint of defendant, or a deposition, for every ten words, 1 cent.

Administering oath or affirmation, 6 cents.

Taking recognizance in any criminal case, and returning the same to court, 20 cents.

Entering judgment on conviction for fine, 12½ cents.

Recording conviction or copy thereof, for every ten words, 1 cent.

Warrant to levy, fine, or forfeiture, 25 cents.

Bail piece and return, or supersedeas, 19 cents.

Discharge to jailor, 19 cents.

Entering discontinuance in case of assault and battery, 25 cents.

Entering complaint of master, mistress, or apprentice, 12½ cents.

Notice to master, mistress, or apprentice, 19 cents.

Hearing parties, and discharging complaint, 25 cents.

Holding inquisition under landlord and tenant act, or in case of forcible entry, each day, \$1 50.

Precept to sheriff, 50 cents.

Recording proceedings, \$1.

Writ of restitution, 50 cents.

Warrant to appraise damages, 25 cents.

Warrant to sell strays, 25 cents.

Warrant to appraise swine, entering return, advertising, et cetera, \$1.

Entering action in civil case, 12½ cents.

Summons, capias or subpoena, each, 12½ cents.

Every additional name, after the first, 3 cents.

Subpoena *duce tecum*, 19 cents.

Entering return of summons, and qualifying constables, 12½ cents.

All witnesses names to be put in one subpoena, unless separate subpoenas shall be required by the party.

Entering capias and bail bond, 6 cents.

Every continuance of a suit, 6 cents.

Trial and judgment, 25 cents.

Entering judgment by confession, 12½ cents.

Taking special bail, 12½ cents.

Entering satisfaction, 6 cents.

Entering amicable suit, 12½ cents.

Entry rule to take depositions of witnesses, 6 cents.

Rule to take depositions, 12½ cents.

Interrogatories, for every ten words, 1 cent.

Entering return of rule, 6 cents.

Entering rule to refer, 12½ cents.

Rule of reference, 12½ cents.

Notice to each referee, 6 cents.

Notice to a party in any case, 12½ cents.

Entering a report of a referee, and judgment thereon, 12½ cents.

Execution, 19 cents.

Entering return of execution, or stay of plaintiff, *nulla bona, non est inventus*, or otherwise, 12½ cents.

Entering discontinuance or satisfaction, 6 cents.

Sci. fa., in any case, 25 cents.

Opening judgment for re-hearing, 12½ cents.

Return of proceedings in *certiorari* or appeal, including recognizance, 50 cents.

Transcript of judgment, including certificates, 25 cents.

Receiving amount of judgment before execution, or where execution was issued and special bail been entered within twenty days after judgment, and paying the same over, if not exceeding ten dollars, 12½ cents.

If above ten dollars, and not exceeding forty dollars, 25 cents.

If above forty dollars, 37½ cents.

Every search where no other service is rendered, to which any fee or fees are attached, 12½ cents.

Entering complaint in writing in case of attachment, and qualifying complainant, 19 cents.

Attachment, 25 cents.

Entering return, and appointing freeholders, 12½ cents.

Advertisements, each 12½ cents.

Order to sell goods, 19 cents.

Order for the relief of a pauper, 25 cents.

Order for the removal of a pauper, \$1.

Order to seize goods for maintainance of wife or children, 25 cents.

Order for premium for wolf or fox scalps, to be paid by the county, 12½ cents.

Every acknowledgment or probate of a deed, or other instrument of writing, 25 cents.

Taking and signing acknowledgment on indenture of an apprentice, for each indenture, 25 cents.

Assignment and making record of indenture, 25 cents.

Canceling indenture, 12½ cents.

Comparing and signing tax duplicate, 50 cents.

Marrying each couple, making record thereof, and certificate to parties, \$2.

Certificate of approbation of two justices, to binding an apprentice by directors or overseers of the poor, 50 cents.

Certificate to obtain land warrant, 50 cents.

Swearing or affirming county commissioner, assessor, or other township officer, and certificate thereof, to be paid by the county, 25 cents.

Their fees for services under the laws of the United States, are as follows:

For a certificate of protection, 50 cents.

Certificate of lost protection, 25 cents.

A warrant, 25 cents.

Commitment 25 cents.

Summons for seamen in an admiralty case, 25 cents.

Hearing thereon, with docket entry, 50 cents.

Certificate to clerk of district court to issue admiralty process, (a) 25 cents.

Constables.

SECTION 67. The fees to be received by constables in all the counties of the Commonwealth, except Allegheny, Berks, Delaware, Philadelphia, Venango, and Washington, are as follows, viz:

Executing warrant on behalf of the Commonwealth, for each defendant, 50 cents. Conveying to jail on mittimus or warrant, for each defendant, 50 cents.

Arresting a disorderly person or other offender against the law, (without process,) and bringing before a justice, 50 cents.

Levying a fine or forfeiture on a warrant, 30 cents.

Taking the body into custody on mittimus, where bail is afterwards entered before the prisoner is delivered to the jailor, 50 cents.

Serving subpoena, 15 cents.

Serving summons or notice on referee, suitor, master, mistress or apprentice, personally or by copy, each 20 cents.

Arresting on capias, 50 cents.

Taking bail bond on capias, or for delivery of goods, 20 cents.

Notifying plaintiff, where defendant has been arrested on capias, to be paid by plaintiff, 20 cents.

Executing landlord's warrant, or serving execution, 50 cents.

Taking inventory of goods, each item, 2 cents.

Levying or distraining goods, or selling the same, for each dollar not exceeding thirty dollars, 6 cents.

For each dollar above thirty dollars, 4 cents; and half of the commission shall be allowed where the money is paid after levy without sale; but no commission shall, in any case, be taken on more than the real debt.

Advertising the same, 50 cents.

Executing attachment, 35 cents.

Copy of vendue paper, when demanded, each item, 2 cents.

Putting up notices of distress, at mansion-house or other public place on the premises, 20 cents.

Serving *scire facias* personally, 20 cents.

Serving by leaving a copy, 20 cents.

Executing a bail piece, 30 cents.

Traveling expenses, in all cases, for each mile, circular, 6 cents.

Making returns to court, \$1 50.

Attending general elections, \$2.

Attending special township, ward, or borough election, \$3.

Same fees for services not herein specially provided for as for similar services. (b)*

Their fee in all counties for the arrest and commitment of vagrants is 50 cents in each case, and mileage when the arrest is made more than one mile from the prison or place where the vagrant or vagrants are committed. (c)

* In Purdon's Digest, edition of 1872, page 685, the following fees of constables appear, viz: "For appraisement and all other services, under exemption act of April 9, 1849, \$1; for serving precept and returning same in landlord and tenant proceedings, 25 cents; executing writ of possession and returning the same, 50 cents; when the rent shall be received from the lessee by the constable, such commission as is now allowed by law on writs of execution." The foregoing provisions are embodied in act of April 18, 1857, P. L. p. 232.

(a) Act of 1875, § 1, P. L. p. 68; act of 1814, (c) Act of 1878, § 1, P. L. p. 41.
§ 14, P. L. p. 359.

(b) Act of 1868, § 11, P. L. p. 13; act of 1869, § 3, P. L. p. 479; act of 1873, § 1, P. L. p. 641; act of 1872, § 1, P. L. p. 525.

Constables are allowed and paid, out of the county treasury, \$2 for advertising ward, township, district, and borough elections, and 20 cents for delivering to each township or borough officer a certificate of his election. (a)

In all counties, except Philadelphia, their fees for the following services are, for making returns to the court of quarter sessions, 50 cents each for one day, (except in the county of Berks, where it is 75 cents,) and mileage at the rate of 3 cents per mile, circular, from residence of constable to county seat, to be paid by the county. (b)

They are allowed the following fees on commitments to the House of Refuge, to be paid by the county:

For arresting the person committed, 50 cents.

For delivering the person committed, pursuant to such commitment, to the proper house of refuge, \$1, with mileage at the rate of 5 cents, circular, for all distances traveled exceeding seven (c) circular miles.

SECTION 68. The fees in Allegheny, Berks, Delaware, and Philadelphia counties are as follows:

For executing warrant on behalf of the Commonwealth, \$1.

For taking body into custody, or conveying to jail on *mittimus*, or warrant, \$1.

For arresting a disorderly person or other offenders against the laws (without process) and bringing before a justice, 75 cents.

For levying a fine or forfeiture on a warrant, 50 cents.

For serving subpoena, 50 cents, except in the county of Berks, where they receive but 15 cents.

For taking the body into custody on *mittimus*, where bail is afterwards entered before the prisoner is delivered to the jailor, \$1.

For serving summons, notice on referee, suitor, master or mistress, or apprentice, personally, each, 50 cents.

For serving by leaving a copy, 50 cents.

For executing attachment personally, 50 cents.

For arresting on *capias*, \$1.

For taking bail bond on *capias*, or for delivery of goods, 50 cents.

For notifying plaintiff where defendant has been arrested on *capias*, to be paid by plaintiff, 25 cents.

For executing landlord's warrant, 50 cents.

For taking inventory of goods, (each item,) 2 cents.

For levying or distraining goods, and selling the same, for each one dollar not exceeding one hundred dollars, 3 cents.

For each one dollar above one hundred dollars, 2 cents, except in the county of Berks, where they are entitled to receive and take, for each dollar not exceeding thirty dollars, 10 cents, and for every one dollar over thirty dollars, 15 cents.

And one half of said commission shall be allowed where the money is paid after levy, without sale; but no commission shall in any case be taken on more than the real debt, and then only for the money actually received by the constable, and paid over to the creditor.

For advertising same, \$1, except in county of Berks, where they are entitled to 50 cents only.

For copy of vendue paper, when demanded, (each item,) 2 cents.

For putting up notice of distress at mansion-house or at any other place on the premises, 25 cents.

For serving *scire facias* personally, 50 cents.

For serving by leaving copy, 50 cents.

For executing bail piece, \$1.

For traveling expenses on execution returned *nulla bona* and *non est inventus*, where the constable has been at the defendant's last residence,

(a) Act of 1840, § 11, P. L. p. 637; act of (c) Act of 1855, § 1, P. L. p. 233.

1851, § 14, P. L. p. 325.

(b) Act of 1857, § 3, P. L. p. 232; act of 1864, § 1, P. L. p. 181.

each mile circular, 10 cents, except in county of Berks, where they get but 6 cents.

For traveling expenses in all other cases, each mile circular, 10 cents, except in county of Berks, where they get but 6 cents.

For executing order for the removal of a pauper, 75 cents.

For traveling expenses in said removal, each mile circular, 15 cents.

For serving execution, 50 cents.

For serving execution on writ of restitution, \$2.

For serving execution on writ of possession, \$2.

For serving summons in landlord and tenant proceedings, \$1.

For serving notice in landlord and tenant proceedings, 50 cents.

For taking inventory of goods on execution, each item, 2 cents.

For serving search warrant, \$1.

For serving *capias* execution, \$1.

Constables and appraisers, personally, on appraisement, each, (a) \$1.

And in the city and county of Philadelphia alone, their fees, for the following services, are :

For watchman, to be charged by the defendant on execution or distress for rent, per day, \$3.

For collection of rent by distress or otherwise, to be charged to the landlord, apart from the commissions allowed by law, 5 per cent. on the amount actually collected.

For levying goods, and selling the same on execution, for each dollar, 5 cents.

For each adjournment of sale, under execution or distress for rent, \$1, and costs for advertising such adjourned sale. (b)

In Columbia county, the compensation allowed them for attending special, township, ward, and borough elections, includes advertising. (c)

In Indiana county, they are allowed mileage for attending court only for the number of miles actually traveled, and no one traveling by railroad is entitled to claim from the county mileage for more than twenty-five miles. (d)

SECTION 69. In Venango county, their fees are as follows, viz :

Executing warrant on behalf of the Commonwealth, for each defendant, \$1.

Conveying to jail on mittimus, for each defendant, \$1.

Arresting offender against the laws, and bringing before magistrate, 75 cents.

Levying a fine or forfeiture on a warrant, 30 cents.

Taking the body into custody on mittimus, where bail is afterwards entered before the prisoner is delivered to the jailor, 50 cents.

Serving subpoena, each person, 20 cents.

Serving notice on referee, suitor, master, mistress, or apprentice, personally or by copy, each 20 cents.

Arresting on *capias*, each defendant, 50 cents.

Taking bail bond on *capias*, or for delivery of goods, 40 cents.

Notifying plaintiff, where defendant has been arrested on *capias*, to be paid by plaintiff, 30 cents.

Executing landlord's warrant, or serving execution, 60 cents.

Taking inventory of goods, each item, 4 cents.

Levying or distraining goods, or selling the same, for each dollar not exceeding thirty dollars, six cents.

For each dollar above thirty dollars, 4 cents; and half of the commission shall be allowed where the money is paid after levy without sale; but no commission shall, in any case, be taken on more than the real debt.

Advertising the same, 75 cents.

Executing attachment, \$1.

(a) Act of 1866, § 1, P. L. p. 94; act of 1867, § 1, P. L. p. 873; of 1864, § 1, P. L. p. 180; of 1869, § 1, P. L. p. 460; and of 1872, § 1, P. L. p. 562.

(b) Act of 1872, § 1, P. L. p. 772.

(c) Act of 1872, § 1, P. L. p. 525.

(d) Act of 1872, § 1, P. L. p. 77

Copy of vendue paper, when demanded, each item, 2 cents.

Putting up notices of distress, at mansion house or other public places on the premises, 20 cents.

Serving *scire facias* personally, 50 cents.

Serving by leaving a copy, 50 cents.

Executing a bail piece, 50 cents.

Serving summons either personally or by copy, 50 cents.

Traveling expenses, in all cases, for each mile, circular, six cents.

Making returns to court, \$2.

Attending general elections, \$2.

Attending special township, ward, or borough election, \$3.

Same fees for services not herein specially provided for as for similar services. (a)

SECTION 70. In Washington county, their fees are as follows:

Executing warrant on behalf of the Commonwealth, 50 cents.

Conveying to jail on mittimus or warrant, 50 cents.

Arresting a disorderly person or other offender against the law, and bringing before a justice, 50 cents.

Levying a fine or forfeiture on a warrant, 30 cents.

Taking the body into custody on mittimus, where bail is afterwards entered before the prisoner is delivered to the jailor, 50 cents.

Serving subpoena, 15 cents.

Serving summons or notice on referee, suitor, master, mistress, or apprentices, personally or by copy, each 20 cents.

Arresting on capias, 35 cents.

Taking bail bond on capias, or delivery of goods, 20 cents.

Notifying plaintiff, where defendant has been arrested on capias, to be paid by plaintiff, 20 cents.

Executing landlord's warrant, or serving execution, 50 cents.

Taking inventory of goods, each item, 2 cents.

Levying or distraining goods, or selling the same, for each dollar not exceeding thirty dollars, 6 cents.

For each dollar above thirty dollars, 4 cents; and half of the commission shall be allowed where the money is paid after levy without sale; but no commission shall, in any case, be taken on more than the real debt.

Advertising the same, 50 cents.

Executing attachment, 35 cents.

Copy of vendue paper, when demanded, each item, 2 cents.

Putting up notices of distress, at mansion-house or other public place on the premises, 15 cents.

Serving *scire facias* personally, 20 cents.

Serving by leaving a copy, 20 cents.

Executing a bail piece, 30 cents.

Serving rule and interrogatories in attachments execution, 20 cents.

Traveling expenses, in all cases, for each mile, circular, 6 cents.

Making returns to court, 50 cents for each one day.

Mileage for same, counting from residence to court-house, to be paid by the county, 3 cents per mile circular.

For appraisement and all other services under exemption act of April 9, 1849, \$1.

For serving precept and returning same in landlord and tenant proceedings, 25 cents.

Executing writ of profession and returning same, 50 cents.

When the rent is received from the lessee by the constable, such commission as is allowed by law on writs of execution. (b)

SECTION 71. In Harrisburg city, their fees are as follows:

Executing warrant on behalf of the Commonwealth, 37½ cents.

Conveying to jail on mittimus or warrant, 37½ cents.

Arresting a disorderly person or other offender against the law, (without process,) and bringing before a justice, 37½ cents.

(a) Act of 1873, § 3, P. L. p. 424; act of 1868, § 11, P. L. p. 13.

(b) Act of 1865, § 1 and 2, P. L. p. 436; act of 1857, § 3, P. L. p. 231.

Levying a fine or forfeiture on a warrant, 25 cents.

Taking the body into custody on mittimus, where bail is afterward entered before the prisoner is delivered to the jailor, 25 cents.

Serving subpoena, 12½ cents.

Serving summons or notice on referee, suitor, master, mistress, or apprentice, personally or by copy, each 12½ cents.

Arresting on capias, 25 cents.

Taking bail bond on capias, or for delivery of goods, 12½ cents.

Notifying plaintiff, where defendant has been arrested on capias, to be paid by plaintiff, 12½ cents.

Executing landlord's warrant, or serving execution, 25 cents.

Taking inventory of goods, each item, 1 cent.

Levying or distraining goods, or selling the same, for each dollar not exceeding thirty dollars, 6 cents.

For each dollar above thirty dollars, four cents; and half of the commission shall be allowed where the money is paid after levy, without sale: but no commission shall, in any case, be taken on more than the real debt.

Advertising the same, 37½ cents.

Executing attachment, 25 cents.

Copy of vendue paper, when demanded, each item, 1 cent.

Putting up notices of distress at mansion-house or other public place on the premises, 12½ cents.

Serving *scire facias* personally, 12½ cents.

Serving by leaving a copy, 12½ cents.

Executing a bail piece, 25 cents.

Traveling expenses on an execution returned *nulla bona* and *non est inventus*, where the constable has been at the place of defendant's last residence, each mile circular, 3 cents.

Executing order for removal of a pauper, 50 cents.

Traveling expenses in said removing, each mile circular, 10 cents.

Traveling expenses, in all other cases, each mile circular, 3 cents. (a)

Surgeons, for Post Mortem Examinations at Inquests.

SECTION 72. The fee to be received by a physician or surgeon, from the county, for making a *post mortem* examination, at the request of the coroner or justice of the peace holding an inquest, in the following counties, is \$10, unless the county commissioners are of the opinion his services deserve more, when it may be increased by them to such an amount as they may think just, viz: Lancaster, (b) Armstrong, (c) Blair, (d) Bucks, (e) Indiana, (f) Montgomery, (e) and Washington. (g)

In Allegheny county, his fees are as follows, viz: For superficial examination, \$10; for any cutting done before decomposition has commenced, \$20; and for any cutting done after decomposition has commenced, \$40. (h)

In Butler and Mercer counties, his fee is not to exceed \$10, unless increased by the county commissioners. (i)

In Northampton county, his fee is \$15, unless increased by the county commissioners. (j)

Supervisors.

SECTION 73. Each supervisor is allowed, in the settlement of his accounts, a sum not exceeding \$1 per day for each day necessarily employed in the discharge of his official duties. (k)

In the township of Lattimore, Adams county, they are allowed \$1 50 per day. (l)

(a) Act of 1875, § 1, P. L. p. 68; act of 1814, § 15, P. L. p. 361.

(b) Act of 1848, § 1, P. L. p. 29.

(c) Act of 1861, § 1, P. L. p. 437.

(d) Act of 1853, § 4, P. L. p. 453.

(e) Act of 1860, § 1, P. L. p. 167.

(f) Act of 1837, § 1, P. L. p. 83.

(g) Act of 1867, § 1, P. L. p. 677.

(h) Act of 1836, § 1, P. L. p. 603.

(i) Act of 1834, § 1, P. L. p. 60, and act of 1866, § 1, P. L. p. 6.

(j) Act of 1856, § 1, P. L. p. 461.

(k) Act of 1831, § 93, P. L. p. 554.

(l) Act of 1869, § 1, P. L. p. 1051.

In Allegheny county they are allowed \$1 50 per day, (a) except in Collins township, where they are allowed \$2 per day; (b) in Elizabeth township, where they receive \$2 per day; (c) Kilbuck township, where the board are allowed \$25 per year for their services; (d) Lincoln township, where they are allowed \$2 50 per day for time spent in working on the roads; (e) Moon township, where the board are allowed \$25 per year for their services; (f) Penn township, where they are allowed \$2 per day; (g) Scott township, where they are allowed \$1 50 per day, (h) and Upper St. Clair township, where they are allowed \$2 per day, except for collecting road tax, for which they are allowed 5 cents out of every dollar collected and paid out by them. (i)

In Armstrong county they are allowed \$2 per day, (j) except in the townships of Kiskiminitas and South Buffalo, where they are allowed but \$1 50 per day. (k)

In Beaver county they are allowed \$2 per day, (l) except Darlington township, where they are allowed the compensation fixed by general law, and Big Beaver township, where they are allowed but \$1 50 per day. (m)

In the townships of Broad Top and Hopewell, Bedford county, they are allowed \$2 per day. (n)

In Berks county they are allowed \$1 50 per day. (o)

Blair county: In the townships of Allegheny, Logan, Antis, and Snyder, they are allowed compensation as follows, viz:

In Allegheny, Antis, and Snyder township, \$1 50 per day, also 5 per centum on the actual amount of taxes collected and worked out, to be in lieu of the *per diem* pay for time spent in notifying hands to work on roads, (p) and in Logan township the township auditors are authorized to allow them, in the settlement of their accounts, any sum not exceeding \$2 per day. (q)

In Bucks county they are allowed 50 cents per day over and above the regular wages paid day laborers employed on the roads. (r)

In Butler county they are allowed such sum, not exceeding \$1 50 per day, as fixed by the township auditors (s)

In Carbon county they are allowed \$1 50 per day. (t)

In Chester county they are allowed \$1 50 per day. (u)

In Clarion county they are allowed \$2 per day. (v)

In Clearfield county they are allowed \$2 per day. (w)

In the townships of Catawissa and Conyngham, Columbia county, they are allowed compensation as follows, viz: \$1 50 per day in Catawissa township, (x) and in Conyngham township a sum not exceeding \$2 per day, to be fixed by the township auditors. (y)

In Crawford county they are allowed compensation not exceeding \$1 50 per day. (z)

In Cumberland county they are allowed \$1 50 per day. (aa)

In Wiconisco township, Dauphin county, they are allowed \$50 for services. (bb)

In Delaware county they are allowed \$1 50 per day for each and every day's work on the public roads. (cc)

In Elk county they are allowed \$2 per day. (dd)

(a) Act of 1864, § 2, P. L. p. 863.

(b) Act of 1867, § 2, P. L. p. 896.

(c) Act of 1871, § 5, P. L. p. 564.

(d) Act of 1870, § 3, P. L. p. 644.

(e) Act of 1873, § 1, P. L. p. 746.

(f) Act of 1871, § 1, P. L. p. 10 8.

(g) Act of 1869, § 8, P. L. p. 422.

(h) Ibid., § 1, p. 308.

(i) Act of 1872, § 1, P. L. p. 159.

(j) Act of 1865, § 1, P. L. p. 635.

(k) Act of 1870, § 1, P. L. p. 406; act of 1871,

§ 11, P. L. p. 1131.

(l) Act of 1870, § 1, P. L. p. 354.

(m) Ibid., p. 705; *ibid.*, § 12, P. L. p. 326.

(n) Act of 1864, § 1, P. L. p. 74; act of 1870,

§ 1, P. L. p. 814.

(o) Act of 1869, § 2, P. L. p. 581.

(p) Act of 1865, § 1 and 2, P. L. p. 654; act of 1868, § 1, P. L. p. 601.

(q) Act of 1867, § 1, P. L. p. 675

(r) Ibid., p. 613.

(s) Ibid., p. 684.

(t) Ibid., p. 1102.

(u) Act of 1863, § 1, P. L. p. 246.

(v) Act of 1873, § 4, P. L. p. 453.

(w) Act of 1872, § 1, P. L. p. 499.

(x) Act of 1863, § 1, P. L. p. 744.

(y) Act of 1839, § 3, P. L. p. 847.

(z) Act of 1866, § 2, P. L. p. 208.

(aa) Act of 1865, § 1, P. L. p. 634.

(bb) Act of 1862, § 9, P. L. p. 141.

(cc) Act of 1864, § 1, P. L. p. 776.

(dd) Act of 1867, § 2, P. L. p. 971, act of 1867, § 1, P. L. p. 1267.

In Fayette county they are allowed \$2 per day. (*a*)

In Franklin county they are allowed, for collecting road tax, four per centum on the amount collected, and \$2 per day for other services connected with the duties of their office. (*b*)

In the township of Wells, county of Fulton, they are allowed \$1 50 per day. (*c*)

In Greene county they are allowed \$2 per day, (*d*) except in the following townships, where they are allowed such compensation as the township auditors deem just and equitable, viz: Morgan, Rich Hill, Jefferson, (*e*) Morris, (*f*) Franklin, Cumberland, Centre, (*g*) Monongahela, (*h*) and Washington. (*i*)

In the township of Porter, county of Huntingdon, they are allowed \$2 per day, (*j*) and in the township of Warrior's Mark, same county, they are allowed \$1 50 per day. (*k*)

In the county of Indiana, they are allowed \$1 50 per day. (*l*)

In the county of Jefferson, they are allowed \$2 per day. (*m*)

In the county of Juniata, they are allowed \$1 50 per day. (*n*)

In the county of Lackawanna, they are allowed \$1 50 per day. (*o*)

In the county of Lancaster, they are allowed \$1 50 per day, (*p*) except in the townships of Fulton, Salisbury, and Little Britain, where they are allowed \$2 per day. (*q*)

In Lawrence county, they are allowed \$1 50 per day, (*r*) except in Union township, where they are allowed \$2 50 per day. (*s*)

In Luzerne county, they are allowed \$1 50 per day, (*t*) except in the township of Hanover, the North and South districts of Wilkes-Barre township, and the township of Plains, where they are allowed \$2 50 per day. (*u*)

In the following townships of Lycoming county, they are allowed \$1 50 per day, viz: Cumming, (*v*) Clinton, (*w*) Brady, (*x*) and Washington, where they are allowed \$2 per day. (*y*)

In the township of Derry, Mifflin county, they are allowed \$2 per day for every day engaged on the public roads. (*z*)

In Monroe county, they are allowed \$1 50 per day, (*aa*) except Coolbaugh township, where they are allowed \$2 per day, (*bb*) and Barrett township, where they are allowed \$1 75 per day. (*cc*)

In Montgomery county, the township auditors are authorized to allow them a daily pay not exceeding \$2. (*dd*)

In the township of Bethlehem, county of Northampton, they are allowed, on the settlement of their accounts, a sum not exceeding \$1 50 per day. (*ee*)

In the county of Northumberland, they are allowed \$1 50 per day, (*ff*) except in Mount Carmel township, where they are allowed \$2 50 per day. (*gg*)

In Perry county, they are allowed \$1 50 per day, (*hh*) except in Spring

(*a*) Act of 1869, § 1, P. L. p. 117; *ibid.*, § 9, p. 389; act of 1872, § 1, P. L. p. 682.

(*b*) Act of 1869, § 5 and 7, P. L. p. 326 and 327.

(*c*) Act of 1871, § 1, P. L. p. 1203.

(*d*) Act of 1865, § 1, P. L. p. 690.

(*e*) Act of 1869, § 1, P. L. p. 703; act of 1865, § 9, P. L. p. 338.

(*f*) Act of 1871, § 1, P. L. p. 694.

(*g*) Act of 1871, § 9, P. L. p. 1114.

(*h*) Act of 1872, § 1, P. L. p. 627.

(*i*) Act of 1872, § 1, P. L. p. 101.

(*j*) Act of 1867, § 1, P. L. p. 1230.

(*k*) Act of 1872, § 1, P. L. p. 1025.

(*l*) Act of 1869, § 1, P. L. p. 683.

(*m*) Act of 1868, § 1, P. L. p. 437.

(*n*) Act of 1869, § 1, P. L. p. 983.

(*o*) Act of 1865, § 1, P. L. p. 121.

(*p*) Act of 1865, § 1, P. L. p. 634.

(*q*) Act of 1868, § 9, P. L. p. 331; act of 1872, § 1, P. L. p. 723.

(*r*) Act of 1866, § 1, P. L. p. 512.

(*s*) Act of 1870, § 1, P. L. p. 816.

(*t*) Act of 1865, § 1, P. L. p. 121.

(*u*) Act of 1870, § 1, P. L. p. 1127; act of 1871, § 1, P. L. p. 1194.

(*v*) Act of 1868, § 1, P. L. p. 892.

(*w*) Act of 1871, § 1, P. L. p. 1104.

(*x*) Act of 1872, § 1, P. L. p. 695.

(*y*) Act of 1870, § 1, P. L. p. 1153.

(*z*) Act of 1869, § 1, P. L. p. 1181.

(*aa*) Act of 1868, § 1, P. L. p. 133.

(*bb*) Act of 1871, § 1, P. L. p. 773.

(*cc*) Act of 1873, § 1, P. L. p. 633.

(*dd*) Act of 1864, § 1, P. L. p. 513.

(*ee*) Act of 1867, § 1, P. L. p. 718.

(*ff*) Act of 1867, § 1, P. L. p. 471.

(*gg*) Act of 1866, § 1, P. L. p. 838.

(*hh*) Act of 1869, § 1, P. L. p. 983.

township, where the township auditors are authorized to allow them any sum not exceeding \$2 per day. (*a*)

In Potter county, they are allowed, on the settlement of their accounts, a sum not exceeding \$1 50 per day. (*b*)

In Schuylkill county, they are allowed \$1 25 per day, (*c*) except Tremont township, where they are allowed a sum not exceeding \$100, to be determined by the township auditors; (*d*) Butler, Mahanoy, Reilly, and Rush townships, where they are allowed for viewing and inspecting roads, a compensation not exceeding \$150 per annum, to be determined by the township auditors; (*e*) Branch township, where they are allowed \$100 per annum; (*f*) and the following townships, where they are allowed compensation not exceeding \$1 50 per day, to be fixed by the township auditors, viz: Blythe, Norwegian, (*g*) Cass, East Norwegian, (*h*) Foster, (*i*) and New Castle. (*j*)

In Somerset county, they are allowed \$1 50 per day. (*k*)

In Susquehanna county, they are allowed \$1 50 per day, (*l*) but in Apolaccon township their compensation is not to exceed said sum, and is not to be paid for more than five days in each year for services in and about the business of the roads, (*m*) and in Clifford township their compensation is not to exceed said sum. (*n*)

In Tioga county, they are allowed \$1 50 per day. (*o*)

In Washington county, they are allowed \$2 per day. (*p*)

In certain townships of Wayne county, their compensation is as follows, viz: Damascus township, \$1 50 per day, for not more than ten days in any one year, except in laying out new roads and building bridges, (*q*) or not to exceed ten cents per day for each mill levied on the dollar of valuation, in case they levy less than twenty mills on the dollar; (*r*) in Buckingham township, they are allowed a sum not exceeding \$2 per day; (*s*) and in Paupack township, they are allowed \$1 50 per day. (*t*)

In West moreland county, they are allowed \$2 per day. (*u*)

In Wyoming county, they are allowed \$1 50 per day. (*v*)

In certain townships of York county, their compensation is as follows, viz: In Fairview township, \$1 50 per day for each and every day's work on the public roads; (*w*) in Newberry township, \$1 25 per day; (*x*) in North Codorus township, \$1 50 per day; (*y*) and in Peach Bottom township, \$2 per day. (*z*)

Road Commissioners.

SECTION 74. The compensation of road commissioners is \$2 per day. (*aa*)

Township Auditors.

SECTION 75. Township auditors each receive \$1 for each day necessarily employed in the duties of their office, to be paid by the township treasurer, out of the township funds. (*bb*)

In the township of Collins, Allegheny county, they receive \$2 per day. (*cc*)

In Armstrong county, \$2 per day. (*dd*)

(*a*) Act of 1868, § 1, P. L. p. 601.

(*b*) Act of 1866, § 2, P. L. p. 709.

(*c*) Act of 1859, § 3, P. L. p. 650.

(*d*) Act of 1859, § 1, P. L. p. 649.

(*e*) Act of 1863, § 1, P. L. p. 478.

(*f*) Act of 1863, § 9, P. L. p. 417.

(*g*) Act of 1867, § 1, P. L. p. 450.

(*h*) Act of 1868, § 1, P. L. p. 271.

(*i*) Act of 1869, § 1, P. L. p. 418.

(*j*) Act of 1871, § 1, P. L. p. 583.

(*k*) Act of 1869, § 3, P. L. p. 119.

(*l*) Act of 1865, § 1, P. L. p. 80; act of 1871, § 3, P. L. p. 918.

(*m*) Act of 1872, § 7, P. L. p. 1081.

(*n*) Act of 1869, § 7, P. L. p. 807.

(*o*) Act of 1857, § 1, P. L. p. 496.

(*p*) Act of 1870, § 1, P. L. p. 355.

(*q*) Act of 1868, § 3, P. L. p. 232.

(*r*) Act of 1873, § 4, P. L. p. 191.

(*s*) Act of 1872, § 5, P. L. p. 753.

(*t*) Act of 1868, § 2, P. L. p. 364.

(*u*) Act of 1865, § 1, P. L. p. 635.

(*v*) Act of 1871, § 1, P. L. p. 1096.

(*w*) Act of 1864, § 1, P. L. p. 776.

(*x*) Act of 1867, § 1, P. L. p. 924.

(*y*) Act of 1870, § 1, P. L. p. 308.

(*z*) Act of 1873, § 1, P. L. p. 741.

(*aa*) Act of 1874, § 1, P. L. p. 138.

(*bb*) Act of 1834, § 106, P. L. p. 556.

(*cc*) Act of 1867, § 2, P. L. p. 897.

(*dd*) Act of 1873, § 1, P. L. p. 180.

- In Beaver county, except Darlington township, \$2 per day. *(a)*
 In Berks county, \$1 50 per day. *(b)*
 In the townships of Allegheny, Antis, and Snyder, Blair county, \$1 50 per day. *(c)*
 In Bradford county, \$1 50 per day. *(d)*
 In Carbon county, \$1 50 per day. *(e)*
 In Chester county, \$1 50 per day. *(f)*
 In Clarion county, \$2 per day. *(g)*
 In Clearfield county, \$2 per day. *(h)*
 In Conyngham township, Columbia county, \$2 per day. *(i)*
 In Elk county, \$2 50 per day. *(j)*
 In Erie county, \$2 per day, *(k)* except in the townships of Conneaut and Elk Creek. *(l)*
 In the township of Wells, Fulton county, \$1 50 per day. *(m)*
 In the township of Warrior's Mark, Huntingdon county, \$1 50 per day. *(n)*
 In Indiana county, \$1 50 per day. *(o)*
 In Jefferson county, \$1 50 per day. *(p)*
 In Juniata county, \$2 per day. *(q)*
 In Lackawanna county, 50 cents per day in addition to amount fixed by general law, *(r)* except in the township of Blakely, where it is not to exceed \$1 50 per day. *(s)*
 In Lawrence county, \$1 50 per day, *(t)* except Union township, where it is \$2 per day. *(u)*
 In Luzerne county, 50 cents per day in addition to the amount fixed by general law. *(v)*
 In the township of Brady, Lycoming county, \$1 50 per day. *(w)*
 In Monroe county, \$1 50 per day. *(x)*
 In Montgomery county, \$1 50 per day. *(y)*
 In Northumberland county, \$1 50 per day. *(z)*
 In the township of Spring, Perry county, \$1 50 per day. *(aa)*
 In Potter county, not to exceed \$1 50 per day. *(bb)*
 In Somerset county, \$1 50 per day. *(cc)*
 In Susquehanna county, \$1 50 per day. *(dd)*
 In Washington county, \$2 per day. *(ee)*
 In the township of Damascus, Wayne county, \$2 50 per day. *(ff)*
 In the county of Westmoreland, \$1 50 per day. *(gg)*
 In Wyoming county, \$1 50 per day. *(hh)*
 In York county, \$2 per day. *(ii)*

Town Clerks.

SECTION 76. Town clerks receive such compensation as the supervisors determine on, and for making entry of strays, he receives for each head of horsekind, 50 cents; each head of cattle, 25 cents, and for every sheep, 6 cents, to be paid by the person delivering notice to owners. *(jj)*

- | | |
|---|---|
| <i>(a)</i> Act of 1870, § 1, P. L. p. 354. | <i>(s)</i> Act of 1868, § 4, P. L. p. 1108. |
| <i>(b)</i> Act of 1869, § 2, P. L. p. 581. | <i>(t)</i> Act of 1866, § 1, P. L. p. 512. |
| <i>(c)</i> Act of 1865, § 1, P. L. p. 654; act of 1868, § 1, P. L. p. 601. | <i>(u)</i> Act of 1870, § 2, P. L. p. 816. |
| <i>(d)</i> Act of 1867, § 2, P. L. p. 456. | <i>(v)</i> Act of 1865, § 1, P. L. p. 177. |
| <i>(e)</i> Act of 1867, § 1, P. L. p. 1102. | <i>(w)</i> Act of 1872, § 1, P. L. p. 695. |
| <i>(f)</i> Act of 1863, § 1, P. L. p. 246. | <i>(x)</i> Act of 1868, § 1, P. L. p. 133. |
| <i>(g)</i> Act of 1873, § 1, P. L. p. 452. | <i>(y)</i> Act of 1864, § 3, P. L. p. 426. |
| <i>(h)</i> Act of 1872, § 1, P. L. p. 499. | <i>(z)</i> Act of 1867, § 1, P. L. p. 471. |
| <i>(i)</i> Act of 1867, § 1, P. L. p. 961. | <i>(aa)</i> Act of 1868, § 1, P. L. p. 601; act of 1865, § 1, P. L. p. 654. |
| <i>(j)</i> Act of 1871, § 1, P. L. p. 994. | <i>(bb)</i> Act of 1866, § 2, P. L. p. 709. |
| <i>(k)</i> Act of 1835, § 3, P. L. p. 479; act of 1867, § 1, P. L. p. 208. | <i>(cc)</i> Act of 1869, § 3, P. L. p. 19. |
| <i>(l)</i> Act of 1871, § 1, P. L. p. 1350; act of 1873, § 1, P. L. p. 779. | <i>(dd)</i> Act of 1867, § 2, P. L. p. 456. |
| <i>(m)</i> Act of 1871, § 1, P. L. p. 1203. | <i>(ee)</i> Act of 1870, § 1, P. L. p. 354. |
| <i>(n)</i> Act of 1872, § 1, P. L. p. 1025. | <i>(ff)</i> Act of 1872, § 1, P. L. p. 869. |
| <i>(o)</i> Act of 1870, § 1, P. L. p. 1218. | <i>(gg)</i> Act of 1869, § 1, P. L. 663. |
| <i>(p)</i> Act of 1870, § 1, P. L. p. 714. | <i>(hh)</i> Act of 1871, § 1, P. L. p. 1096. |
| <i>(q)</i> Act of 1872, § 1, P. L. p. 925. | <i>(ii)</i> Act 1867, § 2, P. L. p. 370. |
| <i>(r)</i> Act of 1865, § 1, P. L. p. 177. | <i>(jj)</i> Act of 1834, § 99, P. L. p. 555; act of 1807, § 2, 4 Sm., p. 473. |

In the township of Red Bank, Armstrong county, the town clerk receives \$1 50 per day. *(a)*

In Jefferson county, they receive \$1 50 per day, *(b)* and in Wyoming county, \$1 50 per day. *(c)*

Assessors.

SECTION 77. Compensation of assessors the same as in Digest of Election Laws, except in cities of second class, where members of the board receive compensation as follows, viz: Chief assessor an annual salary of \$2,500, and the other members of the board \$5 per day, for each day of actual service, to be determined by affidavit of assessors before the city controller. *(d)*

In cities of the third class, courts of common pleas are empowered to appoint, and their salaries and modes of payment are to be fixed by ordinance. *(e)*

In the city of Oil City, Venango county, they receive \$3 per day. *(f)*

Overseers of the Poor.

SECTION 78. In the township of Red Bank, county of Armstrong, overseers of the poor receive \$1 50 per day. *(g)*

In Carbon county, \$1 50 per day. *(h)*

In Clearfield county, \$2 per day. *(i)*

In the township of Conyngham Columbia county, \$2 per day. *(j)*

In Lawrence county, \$1 50 per day. *(k)*

In the township of Clinton, Lycoming county, \$1 50 per day. *(l)*

In Monroe county, \$1 50 per day. *(m)*

And in Wyoming county, \$1 50 per day. *(n)*

NOTE—We failed to find any general law governing the compensation of overseers of the poor, and found but few special acts on the subject.

Township Treasurer.

SECTION 79. Each township treasurer receives in full compensation for his services, a certain amount per cent. on all moneys received and paid out by him, to be settled, from time to time, by the supervisors, with the approbation of the township auditors. *(o)*

Burgess.

SECTION 80. The council of each borough is empowered to prescribe by ordinance the salary to be paid out of the borough treasury to the burgess of such borough in lieu of fees, fines, and costs. *(p)*

Borough Auditors.

SECTION 81. The compensation of borough auditors is fixed by the town council of the several boroughs. *(q)*

In Armstrong county, they are allowed \$2 per day. *(r)*

In Beaver and Washington counties, except Darlington township, in the former county, \$2 per day. *(s)*

Borough Treasurers.

SECTION 82. The compensation of borough treasurers is fixed by the town council, *(t)* but in Ashland, Schuylkill county, and Dunmore,

(a) Act of 1868, § 8, P. L. p. 209.

(b) Act of 1867, § 4, P. L. p. 662.

(c) Act of 1871, § 1, P. L. p. 1096.

(d) Act of 1876, § 1, P. L. p. 124.

(e) Act of 1875, § 1, P. L. p. 15 and 16.

(f) Act of 1873, § 3, P. L. p. 421.

(g) Act of 1868, § 8, P. L. p. 209.

(h) Act of 1867, § 1, P. L. p. 1102.

(i) Act of 1872, § 1, P. L. p. 499.

(j) Act of 1867, § 1, P. L. p. 961.

(k) Act of 1866, § 1, P. L. p. 512.

(l) Act of 1871, § 1, P. L. p. 1104.

(m) Act of 1868, § 1, P. L. p. 133.

(n) Act of 1871, § 1, P. L. p. 1096.

(o) Act of 1834, § 97, P. L. p. 555.

(p) Act of 1876, § 1, P. L. p. 27.

(q) Act of 1851, § 2, P. L. p. 322.

(r) Act of 1873, § 1, P. L. p. 180.

(s) Act of 1870, § 1, P. L. p. 354.

(t) Act of 1851, § 3 and 11, P. L. p. 323 and 324.

Luzerne county, his compensation is not to exceed one per centum on all moneys paid out by him, (a) and in Easton, Northampton county, it is \$500, \$300 of which amount is paid out of borough taxes, and \$200 out of school funds. (b)

Collectors of School Tax.

SECTION 83. Collectors of school tax are appointed by the boards of directors or controllers, and receive such compensation as may be agreed upon, not exceeding five per cent. on the money collected. (c)

SPECIAL ACTS RELATING TO CERTAIN DISTRICTS.

SECTION 84. In Allegheny City, the board of controllers elect, annually, a receiver of taxes, to whom all school taxes are payable. If the tax is paid after October 1st, five per cent. is added. If the tax is not paid on or before November 1st, the receiver of taxes issues his warrant, accompanied with a schedule of the unpaid taxes, to collectors appointed by the finance committee of the county, who shall collect the same, with five per cent. added. (d)

In Reading, Berks county, the duplicates, when made out, are placed in the hands of the treasurer of the school district, to whom all taxes are to be paid. All taxes not paid on or before October 1st, are placed in the hands of collectors, appointed by the board of controllers, who shall collect the same, with *ten per cent.* added, in the manner provided by law for collecting taxes. (e)

In Robeson township, Berks county, the collection of the school tax is given to the lowest bidder, giving good security for the collection of the same. (f)

In Lancaster city, Lancaster county, the collection of the school taxes is given to the lowest bidder, he to give good security for the same. (g)

The commissioners of Jefferson county may issue one general order for each township, for road and school taxes on unseated lands in the different townships of said county, and the fees for collecting the same shall be paid out of the road and school fund so collected. (h)

(a) Act of 1872, § 2, P. L. p. 80; act of 1870, § 2, P. L. p. 496.

(b) Act of 1870, § 2, P. L. p. 1017.

(c) Act of 1854, § 31, P. L. p. 624.

(d) Act of 1863, P. L. p. 434, 435.

(e) Act of 1833, P. L. p. 410.

(f) Act of 1866, P. L. p. 213.

(g) Act of 1855, P. L. p. 92.

(h) Act of 1862, P. L. p. 214.

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